



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street

San Francisco, CA 94105-3901

March 28, 2014

Ms. Jennifer Johnson
Interim Environmental Director
Environmental Protection Department
Washoe Tribe of Nevada and California
919 Highway 395 South
Gardnerville, Nevada 89410

Subject: EPA's End of Project/Grant Evaluation of the Washoe Tribe of Nevada and California's
FY10 CWA Section 319 Grant.

Dear Ms. Johnson:

EPA has reviewed the Washoe Tribe of Nevada and California's performance under Clean Water Act Section 319 grant (Grant C9-00T43901) for the budget and project periods of 10/1/2010 through 12/31/2013. This review was based on the annual and quarterly reports submitted. We have concluded that you performed satisfactorily in all five core areas of grant performance (properly managed equipment, work plan progress, sufficient funds to complete the project, complying with all programmatic terms and conditions, and complying with all programmatic statutory and regulatory requirements). The report containing EPA's findings including success and recommendations is enclosed for your review.

Please contact me if you have any questions or comments regarding the attached report. Thank you for your continued work to protect the reservation surface and ground waters and your dedication to completing vital nonpoint source implementation projects.

Sincerely,

A handwritten signature in cursive script that reads "Stephanie L. Wilson".

Stephanie L. Wilson
Project Officer

cc: Gwen Brown, Grants Management Office, PMD-7

**END OF GRANT EVALUATION
WASHOE TRIBE OF NEVADA AND CALIFORNIA
CLEAN WATER ACT FY10 SECTION 319 GRANT
C9-00T43901**

Introduction

An FY10, Clean Water Act Section 319 grant award was made to the Washoe Tribe of Nevada and California on July 14, 2010. The total federal funding awarded was \$180,000 and included both competitive and base funding. The Tribe provided match funds in the amount of \$20,000. Project Goals and Objective included:

- Reduce excessive sediment transport.
- Restore and protect impaired sites impacted by nonpoint source pollution
- Track progress through program evaluation and monitor success of implemented projects

Current Findings

1. All tasks funded have been completed.
2. Equipment purchases were not authorized under this grant.
3. According to the Compass Data Warehouse, the final FFR has not been received. The Tribe expended all but \$2,933.
4. Programmatic terms and conditions have been met.
5. Programmatic statutory and regulatory requirements have been met.

Successes

Activities completed include the following (as well as many others):

1. **Implement Wellhead Protection BMPs – (Completed)** The Tribe identified three abandoned wells in the Dresslerville Community. The three abandoned wells were properly sealed and closed. The Tribe also collected bacteriological samples from community wells. Bacterial contamination was not detected. The Tribe verified the integrity of protective fencing at nine drinking water wellheads in the four Tribal communities. A total of 1,605 linear feet of community wellhead was fenced and protective fencing around the Carson Community spring, well and pump house was completed. The PCS/WHPP monitoring within the four communities was completed.
2. **On-the-Ground Planning and Implementation: NPS Floodplain Conservation, Trail and Roadway Stabilization/Decommission and Bank Stabilization Projects for Washoe Tribal Upper Clear Creek Parcel - (Completed)** The Tribe implemented projects to reduce erosion from storm water in the Upper Clear Creek parcel. They reduced soil erosion and controlled runoff and sediment delivery from trails, roads and riparian zones. They addressed degradation occurring in several priority drainage channels, meadow and riparian areas along Old Clear Creek Road and within the Upper Clear Creek parcel. They implemented erosion and sediment control measures that protected and restored water quality, watershed condition, aquatic and riparian habitat on Tribal lands. This was done by completing the following specific activities:
 - Repaired and rip-rapped 2 ephemeral drainages, 165 feet and 145 feet in length
 - Cleaned, armored and stabilized 5 road culverts

- Installed 30 feet of vegetated coir log and willow bank treatment on Upper Clear Creek
- Repaired and stabilized a wet meadow drainage by reshaping and installing rock grade controls
- Repaired an access road drainage crossing
- Installed retaining wall on unstable bank along Clear Creek
- Built foot bridge crossing on Clear Creek
- Seeded seven acres of disturbed upland and abandoned roads/trails
- Rehabilitated 60 feet of collection area with 24 inch culvert
- Stabilized a 2,500 foot section of unimproved logging access road with rock
- Planted pine seedlings and willows along Upper Clear Creek
- Stabilized one acre of degraded meadow with seed and mulch
- Planted willow poles at overflow site on Upper Clear Creek
- Installed and repaired 5,300 feet of wildlife boundary fence
- Removed 7 beaver structures from Clear Creek to reduce flooding and channel instability
- Installed 113 tons rock rip-rap and 86 tons of rock bedding at culverts and in channels.


3. **Provide NPS Education Opportunities** – (Completed) The Tribe hosted tours of project sites for Tribal members and local watershed groups. They also educated community residents about the importance of addressing potential contaminant sources affecting wellheads, water quality, water use and water conservation. The outreach focused on the importance of wellhead protection to maintain safe and healthy community water supplies.


Recommendations/Resolution

None

EPA Contact

Stephanie L. Wilson
 Nevada Project Officer
 EPA, WTR-10
 75 Hawthorne Street
 San Francisco, CA 94105-3901
 (775) 885-6190

	U.S. ENVIRONMENTAL PROTECTION AGENCY Assistance Amendment		GRANT NUMBER (FAIN): 00T43901		DATE OF AWARD 12/10/2012		
			MODIFICATION NUMBER: 2				
			PROGRAM CODE: C9		TYPE OF ACTION No Cost Amendment		MAILING DATE 12/10/2012
			PAYMENT METHOD: Advance		ACH# 90103		
RECIPIENT TYPE: Indian Tribe			Send Payment Request to: Las Vegas Finance Center, Fax (702) 798-2423				
RECIPIENT: Washoe Tribe of NV & CA 919 Highway 395 South Gardnerville, NV 89410 EIN: 88-0120754			PAYEE: Washoe Tribe of NV & CA 919 Highway 395 South Gardnerville, NV 89410				
PROJECT MANAGER Marie Barry 919 Highway 395 South Gardnerville, NV 89410 E-Mail: marie.barry@washoetribe.us Phone: 775-265-8682		EPA PROJECT OFFICER Stephanie Wilson 75 Hawthorne Street, WTR-10 San Francisco, CA 94105 E-Mail: Wilson.Stephania@epa.gov Phone: 775-885-6190		EPA GRANT SPECIALIST GwenL Brown Grants Management Office, MTS-7 E-Mail: Brown.GwenL@epa.gov Phone: 415-972-3661			
PROJECT TITLE AND EXPLANATION OF CHANGES NONPOINT SOURCE MANAGEMENT PROGRAM - CLEAR CREEK The purpose of this project is to implement a streambank restoration and stabilization project and trail/road decommissioning project along Clear Creek, which will reduce sediment and nutrient loading to the creek. In addition, activities include fencing a spring site and spring pumphouse; education and outreach to increase public awareness of nonpoint source pollution; and monitoring project effectiveness. This amendment extends the budget and project period end dates to December 31, 2013. There is no change to the federal funding amount of \$180,000.							
BUDGET PERIOD 10/01/2010 - 12/31/2013		PROJECT PERIOD 10/01/2010 - 12/31/2013		TOTAL BUDGET PERIOD COST \$200,000.00	TOTAL PROJECT PERIOD COST \$200,000.00		
NOTICE OF AWARD							
Based on your Application dated 05/06/2010 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$0. EPA agrees to cost-share 90.00% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$180,000. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA statutory provisions. The applicable regulatory provisions are 40 CFR Chapter 1, Subchapter B, and all terms and conditions of this agreement and any attachments.							
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)			AWARD APPROVAL OFFICE				
ORGANIZATION / ADDRESS U.S. EPA, Region 9 Grants Management Office, MTS-7 75 Hawthorne Street San Francisco, CA 94105			ORGANIZATION / ADDRESS U.S. EPA, Region 9 Water Division, WTR-1 75 Hawthorne Street San Francisco, CA 94105				
THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY							
Digital signature applied by EPA Award Official for Denise Zvanovec - Grants Management Officer GwenL Brown - Award Official delegate					DATE 12/10/2012		

	U.S. ENVIRONMENTAL PROTECTION AGENCY Grant Agreement		ASSISTANCE ID NO.			DATE OF AWARD 07/14/2010 MAILING DATE 07/21/2010 ACH# 90103	
			PRG	DOC ID	AMEND#		
			C9 -	00T43901	- 0		
			TYPE OF ACTION New				
RECIPIENT TYPE: Indian Tribe			Send Payment Request to: Las Vegas Finance Center, Fax (702) 798-2423				
RECIPIENT: Washoe Tribe of NV & CA 919 Highway 395 South Gardnerville, NV 89410 EIN: 88-0120754			PAYEE: Washoe Tribe of NV & CA 919 Highway 395 South Gardnerville, NV 89410				
PROJECT MANAGER		EPA PROJECT OFFICER		EPA GRANT SPECIALIST			
Marie Barry 919 Highway 395 South Gardnerville, NV 89410 E-Mail: marie.barry@washoetribe.us Phone: 775-265-8682		Stephanie Wilson 75 Hawthorne Street, WTR-10 San Francisco, CA 94105 E-Mail: Wilson.Stephania@epa.gov Phone: 775-885-6190		GwenL Brown Grants Management Office, MTS-7 E-Mail: Brown.GwenL@epa.gov Phone: 415-972-3661			
PROJECT TITLE AND DESCRIPTION NONPOINT SOURCE MANAGEMENT PROGRAM - CLEAR CREEK The purpose of this project is to implement a streambank restoration and stabilization project and trail/road decommissioning project along Clear Creek, which will reduce sediment and nutrient loading to the creek. In addition, activities include fencing a spring site and spring pumphouse; education and outreach to increase public awareness of nonpoint source pollution; and monitoring project effectiveness. This action provides full federal funding in the amount of \$180,000.							
BUDGET PERIOD 10/01/2010 - 12/31/2011		PROJECT PERIOD 10/01/2010 - 12/31/2011		TOTAL BUDGET PERIOD COST \$200,000.00		TOTAL PROJECT PERIOD COST \$200,000.00	
NOTICE OF AWARD Based on your application dated 05/06/2010, including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA), hereby awards \$180,000. EPA agrees to cost-share 90.00% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$180,000. Such award may be terminated by EPA without further cause if the recipient fails to provide timely affirmation of the award by signing under the Affirmation of Award section and returning all pages of this agreement to the Grants Management Office listed below within 21 days after receipt, or any extension of time, as may be granted by EPA. This agreement is subject to applicable EPA statutory provisions. The applicable regulatory provisions are 40 CFR Chapter 1, Subchapter B, and all terms and conditions of this agreement and any attachments.							
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)				AWARD APPROVAL OFFICE			
ORGANIZATION / ADDRESS				ORGANIZATION / ADDRESS			
U.S. EPA, Region 9 Grants Management Office, MTS-7 75 Hawthorne Street San Francisco, CA 94105				U.S. EPA, Region 9 Water Division, WTR-1 75 Hawthorne Street San Francisco, CA 94105			
THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY							
SIGNATURE OF AWARD OFFICIAL		TYPED NAME AND TITLE			DATE		
Digital signature applied by EPA Award Official		Carolyn Truong, Grants Management Officer			07/14/2010		
AFFIRMATION OF AWARD							
BY AND ON BEHALF OF THE DESIGNATED RECIPIENT ORGANIZATION							
SIGNATURE		TYPED NAME AND TITLE			DATE		
		Waldo W. Walker, Chairman					

EPA Funding Information

C9 - 00T43901 - 0 Page 2

FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$	\$ 180,000	\$ 180,000
EPA In-Kind Amount	\$	\$	\$ 0
Unexpended Prior Year Balance	\$	\$	\$ 0
Other Federal Funds	\$	\$	\$ 0
Recipient Contribution	\$	\$ 20,000	\$ 20,000
State Contribution	\$	\$	\$ 0
Local Contribution	\$	\$	\$ 0
Other Contribution	\$	\$	\$ 0
Allowable Project Cost	\$ 0	\$ 200,000	\$ 200,000

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.460 - Nonpoint Source Implementation	Clean Water Act: Sec. 319(h)	40 CFR PTS 31 & 35 SUBPT B

Fiscal									
Site Name	Req No	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
-	1009W0E087	10	E1	09LA0D5	202B01E	4117			180,000
									180,000

Budget Summary Page

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$88,760
2. Fringe Benefits	\$36,431
3. Travel	\$4,700
4. Equipment	\$0
5. Supplies	\$2,647
6. Contractual	\$24,879
7. Construction	\$0
8. Other	\$26,235
9. Total Direct Charges	\$183,652
10. Indirect Costs: % Base <u>see Condition #8</u>	\$16,348
11. Total (Share: Recipient <u>10.00</u> % Federal <u>90.00</u> %.)	\$200,000
12. Total Approved Assistance Amount	\$180,000
13. Program Income	\$0
14. Total EPA Amount Awarded This Action	\$180,000
15. Total EPA Amount Awarded To Date	\$180,000

Administrative Conditions

ADMINISTRATIVE CONDITIONS NUMBERED 1 THROUGH 16 APPLY. IN ADDITION, CONDITIONS P1 THROUGH P4 APPLY.

1. An interim Federal Financial Report (FFR), Standard Form 425, covering the period from "project/budget period start date" to September 30 of each calendar year shall be submitted to the U.S. EPA Las Vegas Finance Center, PO Box 98515, Las Vegas, NV 89193-8515, no later than December 31 of the same calendar year. **The initial FFR is due December 31, 2011.** The final FFR covering the entire project period shall also be submitted within 90 days after the end of the project period according to the recipient's respective Code of Federal Regulations Part 31.23(b) and 31.41(b). The LVFC will make adjustments, as necessary, to obligated funds after reviewing and accepting a final Federal Financial Report. Recipients will be notified and instructed by EPA if they must complete any additional forms for the closeout of the assistance agreement.

2. In accordance with OMB Circular A-133, which implements the Single Audit Act, the recipient hereby agrees to obtain a single audit from an independent auditor if it expends \$500,000 or more in total Federal funds in any fiscal year. Within nine months after the end of a recipient's fiscal year or 30 days after receiving the report from the auditor, the recipient shall submit a copy of the SF-SAC and a Single Audit Report Package. For fiscal periods 2002 to 2007 recipients are to submit hardcopy to the following address:

Federal Audit Clearinghouse
1201 East 10th Street
Jeffersonville, IN 47132

For fiscal periods 2008 and beyond the recipient MUST submit a copy of the SF-SAC and a Single Audit Report Package, using the Federal Audit Clearinghouse's Internet Data Entry System. Complete information on how to accomplish the 2008 and beyond Single Audit Submissions you will need to visit the Federal Audit Clearinghouse Web site: <http://harvester.census.gov/fac/>.

3. The recipient agrees to comply with the requirements of EPA's Program for Utilization of Small, Minority and Women's Business Enterprises in procurement under assistance agreements as set forth in 40 CFR Part 33. The EPA DBE rule can be accessed at <http://www.epa.gov/osbp>. In addition, the recipient agrees to make good faith efforts whenever procuring construction, equipment, services and supplies under an EPA assistance agreement, and to ensure that sub-recipients, loan recipients, and prime contractors also comply with 40 CFR Section 33.301. Records documenting compliance with the six good faith efforts shall be retained.

Pursuant to 40 CFR, Section 33.412, Tribal and Insular Area recipients are not required to negotiate fair share goals with EPA until May 27, 2011. Thereafter, Tribal and Insular Area recipients are required to adhere to the full requirements of 40 CFR, Part 33, Subpart D, as applicable.

A recipient of a Continuing Environmental Program Grant or other annual grant agrees to create and maintain a bidders list. A recipient of an EPA financial assistance agreement to capitalize a revolving loan fund also agrees to require entities receiving identified loans to create and maintain a bidders list if the recipient of the loan is subject to, or chooses to follow, competitive bidding requirements. Refer to 40 CFR Section 33.501 (b) and (c) for specific requirements and exemptions.

4. The recipient agrees to complete and submit to the Grants Management Office, MTS-7, a MBE/WBE Utilization Report (EPA Form 5700-52A), within 30 days after the end of the Federal fiscal year; i.e., by October 30 of each calendar year. Negative reports are required. Only procurements with certified MBE/WBEs are counted towards a recipient's MBE/WBE accomplishments. A final MBE/WBE report must be submitted within 90 days after the end of the project period. Your grant cannot be officially closed without all MBE/WBE reports. EPA Form 5700-52A may be obtained from the EPA Office of Small Business Program's Home Page on the internet at www.epa.gov/osbp.

5. When procuring services, equipment, and/or supplies under this assistance agreement, the recipient will follow the same policies and procedures it uses for procurements from its non-Federal funds. The recipient will follow their own procurement policies and procedures provided that the policies and procedures conform with EPA regulations 40 CFR Part 31.36, which state that all procurement transactions will be conducted in a manner providing full and open competition.

6. Payment to consultants. Per 40 CFR **Part 31.36(j)**, EPA's participation in the salary rate (excluding overhead and travel) paid to individual consultants retained by recipients or by a recipient's contractors or subcontractors shall be limited to the maximum daily rate for a Level IV of the Executive Schedule, to be adjusted annually. This limit applies to consultation services of designated individuals with specialized skills and if the terms of the contract provide the recipient with responsibility for the selection, direction, and control of the individuals who will be providing services under the contract at an hourly or daily rate of compensation. As of January 1, 2010, the rate is \$596 per day and \$74.50 per hour. This rate does not include overhead or travel costs and the recipient may pay these in accordance with its normal travel practices.

Subagreements with firms or individuals for services which are awarded using the procurement requirements in 40 CFR Parts 30 or 31, as applicable, are not affected by this limitation unless the terms of the contract provide the recipient with responsibility for the selection, direction, and control of the individuals who will be providing services under the contract at an hourly or daily rate of compensation. See 40 CFR Part 31.36(j)(2) or Part 30.27(b).

7. To implement requirements of Section 106 of the Trafficking Victims Protection Act of 2000, as amended, the following provisions apply to this award:

a. We, as the Federal awarding agency may unilaterally terminate this award, without penalty, if a subrecipient that is a private entity: (1) is determined to have violated an

applicable prohibition in the Prohibition Statement below; or (2) has an employee who is determined by the agency official authorized to terminate the award to have violated an applicable prohibition in the Prohibition Statement below through conduct that is either: (a) associated with performance under this award; or (b) imputed to the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, "OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement)," as implemented by our agency at 2 CFR part 1532. You must inform us immediately of any information you receive from any source alleging a violation of a prohibition in the Prohibition Statement below.

b. Our right to terminate unilaterally that is described in paragraph a of this award term: (1) implements section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. 7104(g)), and (2) is in addition to all other remedies for noncompliance that are available to us under this award.

c. You must include the requirements of the Prohibition Statement below in any subaward you make to a private entity.

Prohibition Statement - You as the recipient, your employees, subrecipients under this award, and subrecipients' employees may not engage in severe forms of trafficking in persons during the period of time that the award is in effect; procure a commercial sex act during the period of time that the award is in effect; or use forced labor in the performance of the award or subawards under the award.

8. The recipient's last approved indirect cost rate has expired. The recipient will not charge or claim for reimbursement any indirect costs unless a current indirect cost rate proposal covering the time period of the costs being claimed for reimbursement is approved by the Department of Interior (DOI), National Business Center.

9. The recipient shall ensure that no grant funds awarded under this assistance agreement are used to engage in lobbying of the Federal Government or in litigation against the United States unless authorized under existing law. The recipient shall abide by its respective 2 CFR 225 (OMB Circular A-87), which prohibits the use of federal grant funds for litigation against the United States or for lobbying or other political activities.

10. In accordance with the policies set forth in EPA Order 1000.25 and Executive Order 13423 (Strengthening Federal Environmental, Energy and Transportation Management dated January 24, 2007), the recipient shall use recycled paper and double sided printing for all reports which are prepared as a part of this agreement and delivered to EPA. This requirement does not apply to reports prepared on forms supplied by EPA, or to Standard Forms, which are printed on recycled paper and are available through the General Services Administration.

11. The recipient agrees to ensure that all conference, meeting, convention, or training space funded in whole or in part with Federal funds complies with the protection and

control guidelines of the Hotel and Motel Fire Safety Act (PL 101-391, as amended). Recipients may search the Hotel-Motel National Master List at <http://www.usfa.dhs.gov/applications/hotel/> to see if a property is in compliance (FEMA ID is currently not required), or to find other information about the Act.

12. The recipient organization of this EPA assistance agreement must make an ongoing, good faith effort to maintain a drug-free workplace pursuant to the specific requirements set forth in Title 40 CFR 36.200 - 36.230. Additionally, in accordance with these regulations, the recipient organization must identify all known workplaces under its federal awards, and keep this information on file during the performance of the award.

Those recipients who are individuals must comply with the drug-free provisions set forth in Title 40 CFR 36.300.

The consequences for violating this condition are detailed under Title 40 CFR 36.510. Recipients can access the Code of Federal Regulations (CFR) Title 40 Part 36 at http://www.access.gpo.gov/nara/cfr/waisidx_06/40cfr36_06.html.

13. The recipient shall fully comply with Subpart C of 2 CFR Part 180 and 2 CFR Part 1532, entitled "Responsibilities of Participants Regarding Transactions (Doing Business with Other Persons)." The recipient is responsible for ensuring that any lower tier covered transaction as described in Subpart B of 2 CFR Part 180 and 2 CFR Part 1532, entitled "Covered Transactions," includes a term or condition requiring compliance with Subpart C. The recipient is responsible for further requiring the inclusion of a similar term or condition in any subsequent lower tier covered transactions. The recipient acknowledges that failing to disclose the information as required at 2 CFR 180.335 may result in the delay or negation of this assistance agreement, or pursuance of legal remedies, including suspension and debarment.

Recipient may access the Excluded Parties List System at www.epls.gov. This term and condition supersedes EPA Form 5700-49, "Certification Regarding Debarment, Suspension, and Other Responsibility Matters."

14. EPA's financial obligations to the recipient are limited by the amount of federal funding awarded to date as shown on line 15 in its EPA approved budget. If the recipient incurs costs in anticipation of receiving additional funds from EPA, it does so at its own risk.

15. Management fees or similar charges in excess of the direct costs and approved indirect rates are not allowable. The term "management fees or similar charges" refers to expenses added to the direct costs in order to accumulate and reserve funds for ongoing business expenses, unforeseen liabilities, or for other similar costs which are not allowable under this assistance agreement. Management fees or similar charges may not be used to improve or expand the project funded under this agreement, except to the extent authorized as a direct cost of carrying out the scope of work.

16. Congress has prohibited EPA from using its FY 2010 appropriations to provide funds to the Association of Community Organizations for Reform Now (ACORN) or any of its subsidiaries. None of the funds provided under this agreement may be used for subawards/subgrants or contracts to ACORN or its subsidiaries. Recipients should direct any questions about this prohibition to their EPA Grants Management Office.

Programmatic Conditions

P1. This grant work program is subject to the statutory "satisfactory progress" provision prescribed in Section 319(h)(8) and the EPA policy on Performance Based Assistance (May 31, 1985).

P2. Modifications to the approved workplan, including changes, additions, or deletions, shall be submitted in a timely manner to the EPA Project Officer for approval.

P3. The grantee shall prepare and submit to the EPA Project Officer quarterly progress reports to self evaluate and to joint evaluate annual performance under the grant, including: status of each workplan goal, task, deliverable; status of expenditures for the reporting period; summary of accomplishments including the reporting of environmental results and discussion of problems impacting or expected to impact performance; and tasks not on schedule and proposed dates of completion. Each report is due on the 30th day after the end of the quarter (i.e., January 30, April 30, July 30 and October 30). The recipient shall submit a final report within 90 days from the end of the project period.

P4. Any management practices implemented for the project must be properly operated and maintained for the intended purposes during its life span. Operation includes the administration, management, and performance of non-maintenance actions needed to keep the completed practice safe and functioning as intended. Maintenance includes work to prevent deterioration of the practice, repairing damage, or replacement of the practice to its original condition if one or more components fail. Management practices and projects that are damaged or destroyed due to a natural disaster (e.g., earthquakes, storm events, floods, etc.) or events beyond the control of the grantee are exempt from this condition.

END OF DOCUMENT

Washoe Tribe of Nevada and California

Environmental Protection Department



May 6, 2010

Ms. Gwen Brown
U.S. Environmental Protection Agency
Grants Management Office (MTS-7)
75 Hawthorne Street
San Francisco, CA 94105

Dear Gwen,

Enclosed please find the Washoe Tribe of Nevada and California's full application package for financial assistance under section 319h of the Clean Water Act "Base and Competitive Funding".

The Tribe's currently has a 2009 approved Indirect Cost agreement which is on file at the EPA Grants Management Office the Proposed Indirect Cost agreement for FY10 is attached. The request for a waiver for the match was submitted with the original proposal. The Washoe Tribe of Nevada and California's Nonpoint Source Assessment and Management Program were approved by the Environmental Protection Agency February 2000. We feel that the implementation of this effort is essential to the protection and enhancement of the waters on Washoe Tribal lands. The Tribal Council supports this proposal and passed a Tribal Resolution on November 13, 2009 to support this application.

We look forward to working in partnership with EPA to protect and restore water quality, watershed condition, aquatic, and riparian habitat on tribal lands. Please feel free to contact me at (775) 265-8682 or email at marie.barry@washoetribe.us if you have any questions or need additional information.

Sincerely,

A handwritten signature in blue ink, appearing to be "Marie Barry", is written over a horizontal line.

Marie Barry, Environmental Director

cc: WEPD File/NPS FY10
Stephanie Wilson - EPA Project Officer
Washoe Grants Office

Application for Federal Assistance SF-424

Tracking 10-283

OMB Number: 4040-000
Expiration Date: 04/31/2011

Version 02

*1. Type of Submission

☒ Preapplication

☐ Application

☐ Changed/Corrected Application

*2. Type of Application

☒ New

☐ Continuation

☐ Revision

*If Revision, select appropriate letter(s):

* Other (Specify)

*3. Date Received:

4. Application Identifier:

5a. Federal Entity Identifier:

*5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

* a. Legal Name: Washoe Tribe of Nevada and California

* b. Employer/Taxpayer Identification Number (EIN/TIN):
88-0120754

*c. Organizational DUNS:
021982913

d. Address:

*Street1: 919 Highway 395 South

Street 2:

*City: Gardnerville

County: Douglas

*State: NV

Province:

Country: USA

*Zip/ Postal Code: 89410

e. Organizational Unit:

Department Name:

Washoe Environmental Protection Department

Division Name:

f. Name and contact information of person to be contacted on matters involving this application:

Prefix: Ms.

First Name: Marie

*Last Name: Barry

Suffix:

Title: Environmental Program Director

Organizational Affiliation:

Washoe Environmental Protection Department Director

*Telephone Number: 775.265.8682

Fax Number: 775.265.3211

*Email: marie.barry@washoetribe.us

Application for Federal Assistance SF-424

Version 02

9. Type of Applicant 1: Select Applicant Type: I. Indian/Native American Tribal Government (Federally Recognize

Type of Applicant 2: Select Applicant Type:

- Select One -

Type of Applicant 3: Select Applicant Type:

- Select One -

*Other (specify):

*10. Name of Federal Agency:

U.S. Environmental Protection Agency (EPA), Office of Water, Office of Wetlands, Oceans, and Watersheds

11. Catalog of Federal Domestic Assistance Number:

66.460

CFDA Title:

Nonpoint Source Program

*12. Funding Opportunity Number: EPA-OW-OWOW-10-02

*Title: FY10 Request for Proposals from Indian Tribes and Intertribal Consortia for Nonpoint Source Management Grants Under Clean Water Act (CWA) Section 319

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Douglas and Carson City Counties, NV

*15. Descriptive Title of Applicant's Project:

Washoe Nonpoint Source 319h Base Program and Upper Clear Creek Parcel Project

Attach supporting documents as specified in agency instructions.

Application for Federal Assistance SF-424

Version 02

16. Congressional Districts Of:

*a. Applicant

CA: 14 Doolittle NV: 2 Heller

*b. Program/Project:

NV: 2 Heller

Attach an additional list of Program/Project Congressional Districts if needed.

17. Proposed Project:

*a. Start Date: 10/1/10

*b. End Date: 12/31/11

18. Estimated Funding (\$):

*a. Federal

\$180,000.00

*d. Local

*b. Applicant

\$20,000.00

*e. Other

*c. State

*f. Program Income

*d. Local

*g. TOTAL

\$200,000.00

*19. Is Application Subject to Review By State Under Executive Order 12372 Process?

- ☐ a. This application was made available to the State under the Executive Order 12372 Process for review on
- ☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- ☒ c. Program is not covered by E.O. 12372

*20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)

☐ Yes ☒ No

21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)

☒ **I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: Mr.

*First Name: Aaron

Middle Name:

*Last Name: Smokey

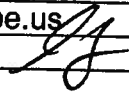
Suffix:

*Title: Vice Chairman

*Telephone Number: 775.265.8600

Fax Number: 775.265.6240

*Email: aaron.smokey@washoetribe.us

*Signature of Authorized Representative: 

Date Signed: 5/6/10

Application for Federal Assistance SF-424

Version 02

***Applicant Federal Debt Delinquency Explanation**

The following field should contain an explanation if the Applicant organization is delinquent on any Federal Debt. Maximum number of characters that can be entered is 4,000. Try and avoid extra spaces and carriage returns to maximize the availability of space.

INSTRUCTIONS FOR THE SF-424

Public reporting burden for this collection of information is estimated to average 60 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0043), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

This is a standard form (including the continuation sheet) required for use as a cover sheet for submission of preapplications and applications and related information under discretionary programs. Some of the items are required and some are optional at the discretion of the applicant or the Federal agency (agency). Required items are identified with an asterisk on the form and are specified in the instructions below. In addition to the instructions provided below, applicants must consult agency instructions to determine specific requirements.

Item	Entry:	Item	Entry:
1.	Type of Submission: (Required): Select one type of submission in accordance with agency instructions. <ul style="list-style-type: none"> • Preapplication • Application • Changed/Corrected Application – If requested by the agency, check if this submission is to change or correct a previously submitted application. Unless requested by the agency, applicants may not use this to submit changes after the closing date. 	10.	Name Of Federal Agency: (Required) Enter the name of the Federal agency from which assistance is being requested with this application.
2.	Type of Application: (Required) Select one type of application in accordance with agency instructions. <ul style="list-style-type: none"> • New – An application that is being submitted to an agency for the first time. • Continuation - An extension for an additional funding/budget period for a project with a projected completion date. This can include renewals. • Revision - Any change in the Federal Government's financial obligation or contingent liability from an existing obligation. If a revision, enter the appropriate letter(s). More than one may be selected. If "Other" is selected, please specify in text box provided. <ul style="list-style-type: none"> A. Increase Award B. Decrease Award C. Increase Duration D. Decrease Duration E. Other (specify) 	11.	Catalog Of Federal Domestic Assistance Number/Title: Enter the Catalog of Federal Domestic Assistance number and title of the program under which assistance is requested, as found in the program announcement, if applicable.
3.	Date Received: Leave this field blank. This date will be assigned by the Federal agency.	12.	Funding Opportunity Number/Title: (Required) Enter the Funding Opportunity Number and title of the opportunity under which assistance is requested, as found in the program announcement.
4.	Applicant Identifier: Enter the entity identifier assigned by the Federal agency, if any, or applicant's control number, if applicable.	13.	Competition Identification Number/Title: Enter the Competition Identification Number and title of the competition under which assistance is requested, if applicable.
5a.	Federal Entity Identifier: Enter the number assigned to your organization by the Federal Agency, if any.	14.	Areas Affected By Project: List the areas or entities using the categories (e.g., cities, counties, states, etc.) specified in agency instructions. Use the continuation sheet to enter additional areas, if needed.
5b.	Federal Award Identifier: For new applications leave blank. For a continuation or revision to an existing award, enter the previously assigned Federal award identifier number. If a changed/corrected application, enter the Federal Identifier in accordance with agency instructions.	15.	Descriptive Title of Applicant's Project: (Required) Enter a brief descriptive title of the project. If appropriate, attach a map showing project location (e.g., construction or real property projects). For preapplications, attach a summary description of the project.
6.	Date Received by State: Leave this field blank. This date will be assigned by the State, if applicable.	16.	Congressional Districts Of: (Required) 16a. Enter the applicant's Congressional District, and 16b. Enter all District(s) affected by the program or project. Enter in the format: 2 characters State Abbreviation – 3 characters District Number, e.g., CA-005 for California 5 th district, CA-012 for California 12 th district, NC-103 for North Carolina's 103 rd district. <ul style="list-style-type: none"> • If all congressional districts in a state are affected, enter "all" for the district number, e.g., MD-all for all congressional districts in Maryland. • If nationwide, i.e. all districts within all states are affected, enter US-all. • If the program/project is outside the US, enter 00-000.
7.	State Application Identifier: Leave this field blank. This identifier will be assigned by the State, if applicable.	17.	Proposed Project Start and End Dates: (Required) Enter the proposed start date and end date of the project.
8.	Applicant Information: Enter the following in accordance with agency instructions: <ul style="list-style-type: none"> a. Legal Name: (Required): Enter the legal name of applicant that will undertake the assistance activity. This is the name that the organization has registered with the Central Contractor Registry. Information on registering with CCR may be obtained by visiting the Grants.gov website. b. Employer/Taxpayer Number (EIN/TIN): (Required): Enter the Employer or Taxpayer Identification Number (EIN or TIN) as assigned by the Internal Revenue Service. If your organization is not in the US, enter 44-4444444. c. Organizational DUNS: (Required) Enter the organization's DUNS or DUNS+4 number received from Dun and Bradstreet. Information on obtaining a DUNS number may be obtained by visiting the Grants.gov website. d. Address: Enter the complete address as follows: Street address (Line 1 required), City (Required), County, State (Required, if country is US), Province, Country (Required), Zip/Postal Code (Required, if country is US). e. Organizational Unit: Enter the name of the primary organizational unit (and department or division, if applicable) that will undertake the 	18.	Estimated Funding: (Required) Enter the amount requested or to be contributed during the first funding/budget period by each contributor. Value of in-kind contributions should be included on appropriate lines, as applicable. If the action will result in a dollar change to an existing award, indicate only the amount of the change. For decreases, enclose the amounts in parentheses.
		19.	Is Application Subject to Review by State Under Executive Order 12372 Process? Applicants should contact the State Single Point of Contact (SPOC) for Federal Executive Order 12372 to determine whether the application is subject to the

	assistance activity, if applicable. f. Name and contact information of person to be contacted on matters involving this application: Enter the name (First and last name required), organizational affiliation (if affiliated with an organization other than the applicant organization), telephone number (Required), fax number, and email address (Required) of the person to contact on matters related to this application.			State intergovernmental review process. Select the appropriate box. If "a." is selected, enter the date the application was submitted to the State		
20.				Is the Applicant Delinquent on any Federal Debt? (Required) Select the appropriate box. This question applies to the applicant organization, not the person who signs as the authorized representative. Categories of debt include delinquent audit disallowances, loans and taxes.		
				If yes, include an explanation on the continuation sheet.		
9.	Type of Applicant: (Required) Select up to three applicant type(s) in accordance with agency instructions. <table border="0" style="width: 100%;"> <tr> <td style="vertical-align: top; width: 50%;"> A. State Government B. County Government C. City or Township Government D. Special District Government E. Regional Organization F. U.S. Territory or Possession G. Independent School District H. Public/State Controlled Institution of Higher Education I. Indian/Native American Tribal Government (Federally Recognized) J. Indian/Native American Tribal Government (Other than Federally Recognized) K. Indian/Native American Tribally Designated Organization L. Public/Indian Housing Authority </td> <td style="vertical-align: top; width: 50%;"> M. Nonprofit with 501C3 IRS Status (Other than Institution of Higher Education) N. Nonprofit without 501C3 IRS Status (Other than Institution of Higher Education) O. Private Institution of Higher Education P. Individual Q. For-Profit Organization (Other than Small Business) R. Small Business S. Hispanic-serving Institution T. Historically Black Colleges and Universities (HBCUs) U. Tribally Controlled Colleges and Universities (TCCUs) V. Alaska Native and Native Hawaiian Serving Institutions W. Non-domestic (non-US) Entity X. Other (specify) </td> </tr> </table>		A. State Government B. County Government C. City or Township Government D. Special District Government E. Regional Organization F. U.S. Territory or Possession G. Independent School District H. Public/State Controlled Institution of Higher Education I. Indian/Native American Tribal Government (Federally Recognized) J. Indian/Native American Tribal Government (Other than Federally Recognized) K. Indian/Native American Tribally Designated Organization L. Public/Indian Housing Authority	M. Nonprofit with 501C3 IRS Status (Other than Institution of Higher Education) N. Nonprofit without 501C3 IRS Status (Other than Institution of Higher Education) O. Private Institution of Higher Education P. Individual Q. For-Profit Organization (Other than Small Business) R. Small Business S. Hispanic-serving Institution T. Historically Black Colleges and Universities (HBCUs) U. Tribally Controlled Colleges and Universities (TCCUs) V. Alaska Native and Native Hawaiian Serving Institutions W. Non-domestic (non-US) Entity X. Other (specify)	21.	Authorized Representative: (Required) To be signed and dated by the authorized representative of the applicant organization. Enter the name (First and last name required) title (Required), telephone number (Required), fax number, and email address (Required) of the person authorized to sign for the applicant. A copy of the governing body's authorization for you to sign this application as the official representative must be on file in the applicant's office. (Certain Federal agencies may require that this authorization be submitted as part of the application.)
A. State Government B. County Government C. City or Township Government D. Special District Government E. Regional Organization F. U.S. Territory or Possession G. Independent School District H. Public/State Controlled Institution of Higher Education I. Indian/Native American Tribal Government (Federally Recognized) J. Indian/Native American Tribal Government (Other than Federally Recognized) K. Indian/Native American Tribally Designated Organization L. Public/Indian Housing Authority	M. Nonprofit with 501C3 IRS Status (Other than Institution of Higher Education) N. Nonprofit without 501C3 IRS Status (Other than Institution of Higher Education) O. Private Institution of Higher Education P. Individual Q. For-Profit Organization (Other than Small Business) R. Small Business S. Hispanic-serving Institution T. Historically Black Colleges and Universities (HBCUs) U. Tribally Controlled Colleges and Universities (TCCUs) V. Alaska Native and Native Hawaiian Serving Institutions W. Non-domestic (non-US) Entity X. Other (specify)					

BUDGET INFORMATION - Non-Construction Programs**SECTION A - BUDGET SUMMARY**

Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1. NPS 319	66.460	\$	\$	\$ 180,000.00	\$ 20,000.00	\$ 200,000.00
2.						
3.						
4.						
5. Totals		\$	\$	\$ 180,000.00	\$ 20,000.00	\$ 200,000.00

SECTION B - BUDGET CATEGORIES

6. Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY				Total (5)
	(1)	(2)	(3)	(4)	
a. Personnel	14,199	74,561			88,760
b. Fringe Benefits	7,420	29,011			36,431
c. Travel	550	4,150			4,700
d. Equipment		13,425			13,425
e. Supplies	238	2,409			2,647
f. Contractual	4,357	20,522			24,879
g. Construction					
h. Other	3,835	8,975			12,810
i. Total Direct Charges (sum of 6a-6h)	30,599	153,053			183,652
j. Indirect Charges	2,734	13,614			16,348
k. TOTALS (sum of 6i and 6j)	\$ 33,333	\$ 166,667	\$	\$	\$ 200,000
7. Program Income	\$	\$	\$	\$	\$ 0.00

BUDGET CATEGORIES INFORMATION (FROM SF424A, SECTION B TOTALS)

Enter Total Program Costs, i.e., Federal and Non-Federal Funds Combined

(Attach Separate Sheet(s) if necessary)

Object Class Categories

a. Personnel: (Program Staffing - include and indicate vacant positions)	Number in Position Class	Annual Salary Rate	Work Years	Personnel Costs
Position Title				
(1)	(2)	(3)	(4)	(5)
Environmental Director	1	92,040.00	.01	10,620.00
Environmental Coordinator	1	69,160.00	.01	6,318.00
Environmental Specialist II	6	48,630.40	.11	31,563.00
GIS Specialist	1	48,630.40	.01	351.00
Tribal Historic Preservation Officer	1	76,086.40	.01	732.00
Washoe Conservation Crew	3-5	31,324.80		25,000.00
Environmental Specialist I	3	36,545.60		8,785.00
Administrative Assistant I	2	40,185.60		2,898.00
Washoe Utility Management Authority Manager	1	69,160.00	.04	2,261.00
WUMA Technician II	3	44,210.00	.02	232.00
PERSONNEL CATEGORY TOTALS				88,760.00
b. FRINGE BENEFITS: TOTAL				36,431.00
c. TRAVEL: TOTAL (Itemize below - See Sample pages)				4,700.00
Local travel: \$.50.5mi x 4,400 = \$2,200.00				
Non Local: Air fare/motel/conf. fees/per diem = \$2,000				
Fuel for equipment: 150 gal x \$3.33 = \$500				

BUDGET CATEGORIES INFORMATION (FROM SF424A, SECTION B TOTALS)
Enter Total Program Costs, i.e., Federal and Non-Federal Funds Combined

(Attach Separate Sheet(s) if necessary)

Object Class Categories

d. Equipment: (1) List each item costing \$5,000 or more to be purchased for this project;		
SUB-TOTAL		
(2) List items costing less than \$5,000. You may list the items by groups, as appropriate.		
Trailer to haul materials, equipment, and tools @ \$25/day x 30 days = \$750, 2 quads and 4x4 vehicle use for project mobilization 6 wks @ \$350/wk = \$4,200, dump truck @ \$750/wk x 3 wks = \$2,250, backhoe @ \$1,450 /wk x 3 wks = \$4,350, misc. tools equip. use \$1,875.		13,425.00
SUB-TOTAL		13,425.00
COMBINED EQUIPMENT TOTAL		13,425.00
e. Supplies: List by groups, as appropriate.		
General Office Supplies: \$53.71/mo x 14mo		738.00
Field Supplies:		1,909.00
SUPPLIES TOTAL		2,647.00

BUDGET CATEGORIES INFORMATION (FROM SF424A, SECTION B TOTALS)

Enter Total Program Costs, i.e., Federal and Non-Federal Funds Combined

(Attach Separate Sheet(s) if necessary)

Object Class Categories

f.	CONTRACTUAL: List each planned contract separately, type of services to be procured, proposed procurement method (i.e. small purchase, formal advertising, competitive negotiations or non-competitive negotiations) and the estimated cost. Also, please indicate if the proposed contract performance period will go beyond the budget period of assistance for which this application is submitted.	
	Contractor for well closure	\$ 4,000.00
	Contractor for engineering design, large rock and other materials needed to complete NPS projects	11,000.00
	Equipment Rental	9,522.00
	Lab fees (WUMA grnd water sampling) Task 3 NPS Base	357
	COMBINED CONTRACTUAL TOTAL	\$ 24,879.00
g.	CONSTRUCTION (N/A)	
h.	OTHER: Explain by major categories any items not included in above standard budget categories. <u>Caution:</u> Do not include or proposed as a direct project cost, any cost that is indirect in nature (see OMB Circular A-87) or is included in the indirect cost pool on which the indirect cost rate (item j) is based.	
	Communication/Maintenance: (cell phone, internet, landline, elect., maintenance etc.)	2,200.00
	BMP materials: (piping, matting, seeds, plants, stakes, separator etc.)	5,000.00
	Washoe Tribe: (cobble rock @ \$20/yard x 80 yds = \$1,600, woodchips @ \$15/yard x 15 yds = \$375, willow @ \$1.00/ft x 350/ft = \$350.00)	2,375.00
	Fencing Materials	3,235.00
	OTHER TOTAL	\$ 12,810.00
i.	TOTAL DIRECT CHARGES: (Sum of Items a. through h.)	\$ 183,652.00
j.	INDIRECT COSTS: (Attach a copy of your latest indirect cost agreement)	\$ 16,348.00
k.	TOTAL PROPOSED PROGRAM COSTS (Sum of Items i. and j.)	
	SHARE: FEDERAL 90 % GRANTEE 10 %	\$ 200,000.00

KEY PEOPLE LIST

Please show street address as well as Post Office Box Number where applicable.

AGENCY DIRECTOR

(Individual who is authorized to sign the assistance agreement application and award acceptance).

Name: Waldo W. Walker
Title: Chairman
Address: 919 Highway 395 South
Gardnerville, NV 89410

Telephone: 775.265.8600

PROGRAM DIRECTOR

(Technical program director; generally the same individual as the "contact person" in block #5 of the application).

Name: Marie Barry
Title: Environmental Director
Address: 919 Highway 395 South
Gardnerville, NV 89410

Telephone: 775.265.8682

FINANCE DIRECTOR

(This is the person who is responsible for (1) maintaining the accounting/financial management system supporting grant expenditures; (2) preparing financial reports; and (3) maintaining the Letter of Credit. If any of these responsibilities are located in another office, please so indicate by showing below the name(s), title(s) organization name(s), address and telephone.)

Name: Pauline Howe
Title: Finance Director
Address: 919 Highway 395 South
Gardnerville, NV 89410

Telephone: 775.265.8600

INSTRUCTIONS FOR THE SF 424

This is a standard form used by applicants as a required facesheet for preapplications and applications submitted for Federal assistance. It will be used by Federal agencies to obtain applicant certification that States which have established a review and comment procedure in response to Executive Order 12372 and have selected the program to be included in their process, have been given an opportunity to review the applicant's submission.

Item: Entry: for Federal Executive Order 12372 to determine whether the application is subject to the State intergovernmental review process.

1. Self-explanatory.

2. Date application submitted to Federal agency (or State if applicable) & applicant's control number (if applicable).

3. State use only (if applicable).

4. If this application is to continue or revise an existing award, enter present Federal identifier number. If for a new project, leave blank.

5. Legal name of applicant, name of primary organizational unit which will undertake the assistance activity, complete address of the applicant, and name and telephone number of the person to contact on matters related to this application.

6. Enter Employer Identification Number (EIN) as assigned by the Internal Revenue Service.

7. Enter the appropriate letter in the space provided.

8. Check appropriate box and enter appropriate letter(s) in the space(s) provided:

- "New" means a new assistance award.
- "Continuation" means an extension for an additional funding/budget period for a project with a projected completion date.
- "Revision" means any change in the Federal Government's financial obligation or contingent liability from an existing obligation.

9. Name of Federal agency from which assistance is being requested with this application.

10. Use the Catalog of Federal Domestic Assistance number and title of the program under which assistance is requested.

11. Enter a brief descriptive title of the project. If more than one program is involved, you should append an explanation on a separate sheet. If appropriate (e.g., construction or real property projects), attach a map showing project location. For preapplications, use a separate sheet to provide a summary description of this project.

Item: Entry:

12. List only the largest political entities affected (e.g., State counties, cities).

13. Self explanatory.

14. List the applicant's Congressional District and any District(s) affected by the program or project.

15. Amount requested or to be contributed during the first funding/budget period by each contributor. Value of in-kind contributions should be included on appropriate lines as applicable. If the action will result in a dollar change to an existing award, indicate only the amount of the change. For decreases, enclose the amounts in parentheses. If both basic and supplemental amounts are included, show breakdown on an attached sheet. For multiple program funding, use totals and show breakdown using same categories as item 15.

16. Applicants should contact the State Single Point of Contact (SPOC)

17. This question applies to the applicant organization, not the person who signs as the authorized representative. Categories of debt include delinquent audit disallowances, loans and taxes.

18. To be signed by the authorized representative of the applicant. A copy of the governing body's authorization for you to sign this application as official representative must be on file in the applicant's office. (Certain Federal agencies may require that this authorization be submitted as part of the application.).

SF 424 (REV 4-88) Back

INSTRUCTIONS FOR THE SF-42

General Instructions

This form is designed so that application can be made for funds from one or more grant programs. In preparing the budget, adhere to any existing Federal grantor agency guidelines which prescribe how and whether budgeted amounts should be separately shown for different functions or activities within the program. For some programs, grantor agencies may require budgets to be separately shown by function or activity. For other programs, grantor agencies may require a breakdown by function or activity. Sections A, B, C, and D should include budget estimates for the whole project except when applying for assistance which required Federal authorization in annual or other funding period increments. In the latter case, Section A, B, C, and D should provide the budget for the first budget period (usually a year) and Section E should present the need for Federal assistance in the subsequent budget periods. All applications should contain a breakdown by the object class categories show in Lines a - k of Section B.

Section A. Budget Summary

Lines 1 - 4, Columns (a) and (b)

For applications pertaining to a *single* federal grant program (Federal Domestic Assistance Catalog number) and *not requiring* a functional or activity breakdown, enter on Line 1 under Column (a) the catalog program title and the catalog number in Column (b).

For applications pertaining to a *single* program *requiring* budget amounts by multiple functions or activities, enter the name of each activity or function on each line in Column (a), and enter the catalog number in Column (b). For applications pertaining to multiple programs where none of the programs require a breakdown by function or activity, enter the catalog program title on each line in Column (a) and the respective catalog number on each line in Column (b).

For applications pertaining to *multiple* programs where one or more programs require a breakdown by function or activity, prepare a separate sheet for each program requiring the breakdown. Additional sheets should be used when one form does not provide adequate space for all breakdown of data required. However, when more than one sheet is used, the first page should provide the summary totals by programs.

Lines 1 - 4, Columns (c) through (g).

For *new* applications, leave Columns (c) and (d) blank. For each line entry in Columns (a) and (b), enter in Columns (e), (f), and (g) the appropriate amounts of funds needed to support the project for the first funding period (usually a year).

Lines 1 - 4 Columns (c) through (g). (continued)

For *continuing grant program* applications, submit these forms before the end of each funding period as required by the grantor agency. Enter in Columns (c) and (d) the estimated amounts of funds which will remain unobligated at the end of the grant funding period only if the Federal grantor agency instructions provide for this. Otherwise, leave these columns blank. Enter in columns (e) and (f) the amounts of funds needed for the upcoming period. The amount(s) in Column (g) should be the sum of amounts in Columns (e) and (f).

For *supplemental grants and changes to existing grants*, do not use Columns (c) and (d). Enter in Column (e) the amount of the increase or decrease of Federal funds and enter in Column (f) the amount of the increase or decrease of non-Federal funds. In Column (g) enter the new total budgeted amount (Federal and non-Federal) which includes the total previous authorized budgeted amounts plus or minus, as appropriate, the amounts shown in Columns (e) and (f). The amount(s) in Column (g) should not equal the sum of amounts in Columns (e) and (f).

Line 5 - Show the totals for all columns used.

Section B. Budget Categories

In the column headings (1) through (4), enter the titles of the same programs, functions, and activities shown on Lines 1 - 4, Column (a), Section A. When additional sheets are prepared for Section A, provide similar column headings on each sheet. For each program, function, or activity, fill in the total requirements for funds (both Federal and non-Federal) by object class categories.

Lines 6a-i - Show the totals of Lines 6 a to 6h in each column.

Line 6j - Show the amount of indirect cost.

Line 6k - Enter the total of amounts on Lines 6i and 6j. For all applications for new grants and continuation grants the total amount in column (5), Line 6k, should be the same as the total shown in Section A, Column (g), Line 5. For supplemental grants and changes to grants, the total amount of the increase or decrease as shown in Columns (1)-(4), Line 6k should be the same as the sum of the amounts in Section A, Columns (e) and (f) on Line 5.

INSTRUCTIONS FOR THE SF-424A (continued)

Line 7 - Enter the estimated amount of income, if any, expected to be generated from this project. Do not add or subtract this amount from the total project amount. Show under the program narrative statement the nature and source of income. The estimated amount of program income may be considered by the federal grantor agency in determining the total amount of the grant.

Section C. Non-Federal-Resources

Lines 8-11 - Enter amounts of non-Federal resources that will be used on the grant. If in-kind contributions are included, provide a brief explanation on a separate sheet.

Column (a) - Enter the program titles identical to Column (a), Section A. A breakdown by function or activity is not necessary.

Column (b) - Enter the contribution to be made by the applicant.

Column (c) - Enter the amount of the State's cash and in-kind contribution if the applicant is not a State or State agency. Applicants which are a State or State agency should leave this column blank.

Column (d) - Enter the amount of cash and in-kind contributions to be made from all other sources.

Column (e) - Enter totals of Columns (b), (c), and (d).

Line 12 - Enter the total for each of Columns (b)-(e). The amount in Column (e) should be equal to the amount on Line 5, Column (f), Section A.

Section D. Forecasted Cash Needs

Line 13 - Enter the amount of cash needed by quarter from the grantor agency during the first year.

Line 14 - Enter the amount of cash from all other sources needed by quarter during the first year.

Line 15 - Enter the totals of amounts on Lines 13 and 14.

Section E. Budget Estimates of Federal Funds Needed for Balance of the Project

Lines 16-19 - Enter in Column (a) the same grant program titles shown in Column (a), Section A. A breakdown by function or activity is not necessary. For new applications and continuation grant applications, enter in the proper columns amounts of Federal funds which will be needed to complete the program or project over the succeeding funding periods (usually in years). This section need not be completed for revisions (amendments, changes, or supplements) to funds for the current year.

If more than four lines are needed to list the program titles, submit additional schedules as necessary.

Line 20 - Enter the total for each of the Columns (b)-(e). When additional schedules are prepared for this Section, annotate accordingly and show the overall totals on this line.

Section F. Other Budget Information

Line 21 - Use this space to explain amounts for individual direct object-class cost categories that may appear to be out of the ordinary or to explain the details as required by the Federal grantor agency.

Line 22 - Enter the type of indirect rate (provisional, predetermined, final or fixed) that will be in effect during the funding period, the estimated amount of the base to which the rate is applied, and the total indirect expense.

Line 23 - Provide any other explanations or comments deemed necessary.

OMB Approval No. 0348-0040

SF 424 (4-88) page 4

ASSURANCES - NON-CONSTRUCTION PROGRAM

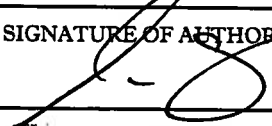
Note: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.
As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of the project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§ 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 795), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply with the provision of the Hatch Act (5 U.S.C. §§ 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§ 276a-7), the Copeland Act (40 U.S.C. §§ 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327-333), regarding labor standards for federally assisted construction subagreements.

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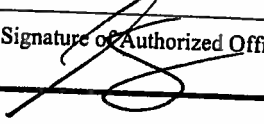
Standard Form 424B (4-88)
Prescribed by OMB Circular A-102

10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplain in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. § 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.)
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984.
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL 	TITLE Vice Chairman
APPLICANT ORGANIZATION Washoe Tribe of Nevada and California	DATE SUBMITTED 5/6/10

**Preaward Compliance Review Report for
All Applicants and Recipients Requesting EPA Financial Assistance**

Note: Read instructions on other side before completing form.

I. Applicant/Recipient (Name, Address, State, Zip Code).			DUNS No.
Washoe Tribe of Nevada and California			021982913
II. Is the applicant currently receiving EPA assistance?			
Yes			
III. List all civil rights lawsuits and administrative complaints pending against the applicant/recipient that allege discrimination based on race, color, national origin, sex, age, or disability. (Do not include employment complaints not covered by 40 C.F.R. Parts 5 and 7. See instructions on reverse side.)			
None			
IV. List all civil rights lawsuits and administrative complaints decided against the applicant/recipient within the last year that allege discrimination based on race, color, national origin, sex, age, or disability and enclose a copy of all decisions. Please describe all corrective action taken. (Do not include employment complaints not covered by 40 C.F.R. Parts 5 and 7. See instructions on reverse side.)			
None			
V. List all civil rights compliance reviews of the applicant/recipient conducted by any agency within the last two years and enclose a copy of the review and any decisions, orders, or agreements based on the review. Please describe any corrective action taken. (40 C.F.R. § 7.80(c)(3))			
None			
VI. Is the applicant requesting EPA assistance for new construction? If no, proceed to VII; if yes, answer (a) and/or (b) below.			
Yes ✓ No			
a. If the grant is for new construction, will all new facilities or alterations to existing facilities be designed and constructed to be readily accessible to and usable by persons with disabilities? If yes, proceed to VII; if no, proceed to VI(b).			
Yes No			
b. If the grant is for new construction and the new facilities or alterations to existing facilities will not be readily accessible to and usable by persons with disabilities, explain how a regulatory exception (40 C.F.R. § 7.70) applies.			
Yes No			
VII.* Does the applicant/recipient provide initial and continuing notice that it does not discriminate on the basis of race, color, national origin, sex, age, or disability in its programs or activities? (40 C.F.R. § 5.140 and § 7.95)			
Yes No			
a. Do the methods of notice accommodate those with impaired vision or hearing?			
Yes No			
b. Is the notice posted in a prominent place in the applicant's offices or facilities or, for education programs and activities, in appropriate periodicals and other written communications?			
Yes No			
c. Does the notice identify a designated civil rights coordinator?			
Yes No			
VIII.* Does the applicant/recipient maintain demographic data on the race, color, national origin, sex, age, or handicap of the population it serves? (40 C.F.R. § 7.85(a))			
Yes			
IX.* Does the applicant/recipient have a policy/procedure for providing access to services for persons with limited English proficiency? (40 C.F.R. Part 7, E.O. 13166)			
Yes			
X.* If the applicant/recipient is an education program or activity, or has 15 or more employees, has it designated an employee to coordinate its compliance with 40 C.F.R. Parts 5 and 7? Provide the name, title, position, mailing address, e-mail address, fax number, and telephone number of the designated coordinator.			
Don Johnson, Training and Staff Development Coordinator, 919			
XI.* If the applicant/recipient is an education program or activity, or has 15 or more employees, has it adopted grievance procedures that assure the prompt and fair resolution of complaints that allege a violation of 40 C.F.R. Parts 5 and 7? Provide a legal citation or Internet address for, or a copy of, the procedures.			
Yes. http://washoetribe.us			
For the Applicant/Recipient			
I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law. I assure that I will fully comply with all applicable civil rights statutes and EPA regulations.			
A. Signature of Authorized Official		B. Title of Authorized Official	
		Vice Chairman	
		C. Date	
		5/6/10	
For the U.S. Environmental Protection Agency			
I have reviewed the information provided by the applicant/recipient and hereby certify that the applicant/recipient has submitted all preaward compliance information required by 40 C.F.R. Parts 5 and 7; that based on the information submitted, this application satisfies the preaward provisions of 40 C.F.R. Parts 5 and 7; and that the applicant has given assurance that it will fully comply with all applicable civil rights statutes and EPA regulations.			
A. Signature of Authorized EPA Official		B. Title of Authorized EPA Official	
See ** note on reverse side		C. Date	

Instructions for EPA FORM 4700-4 (Rev. 04/2009)

General

Recipients of Federal financial assistance from the U.S. Environmental Protection Agency must comply with the following statutes and regulations.

Title VI of the Civil Rights Acts of 1964 provides that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. The Act goes on to explain that the statute shall not be construed to authorize action with respect to any employment practice of any employer, employment agency, or labor organization (except where the primary objective of the Federal financial assistance is to provide employment).

Section 13 of the 1972 Amendments to the Federal Water Pollution Control Act provides that no person in the United States shall on the ground of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under the Federal Water Pollution Control Act, as amended. Employment discrimination on the basis of sex is prohibited in all such programs or activities.

Section 504 of the Rehabilitation Act of 1973 provides that no otherwise qualified individual with a disability in the United States shall solely by reason of disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. Employment discrimination on the basis of disability is prohibited in all such programs or activities.

The Age Discrimination Act of 1975 provides that no person on the basis of age shall be excluded from participation under any program or activity receiving Federal financial assistance. Employment discrimination is not covered. Age discrimination in employment is prohibited by the Age Discrimination in Employment Act administered by the Equal Employment Opportunity Commission.

Title IX of the Education Amendments of 1972 provides that no person in the United States on the basis of sex shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance. Employment discrimination on the basis of sex is prohibited in all such education programs or activities. Note: an education program or activity is not limited to only those conducted by a formal institution.

40 C.F.R. Part 5 implements Title IX of the Education Amendments of 1972.

40 C.F.R. Part 7 implements Title VI of the Civil Rights Act of 1964, Section 13 of the 1972 Amendments to the Federal Water Pollution Control Act, and Section 504 of The Rehabilitation Act of 1973.

The Executive Order 13166 (E.O. 13166) entitled; "Improving Access to Services for Persons with Limited English Proficiency" requires Federal agencies work to ensure that recipients of Federal financial assistance provide meaningful access to their LEP applicants and beneficiaries.

Items

"Applicant" means any entity that files an application or unsolicited proposal or otherwise requests EPA assistance. 40 C.F.R. §§ 5.105, 7.25.

"Recipient" means any entity, other than applicant, which will actually receive EPA assistance. 40 C.F.R. §§ 5.105, 7.25.

"Civil rights lawsuits and administrative complaints" means any lawsuit or administrative complaint alleging discrimination on the basis of race, color, national origin, sex, age, or disability pending or decided against the applicant and/or entity which actually benefits from the grant, but excluding employment complaints not covered by 40 C.F.R. Parts 5 and 7. For example, if a city is the named applicant but the grant will actually benefit the Department of Sewage, civil rights lawsuits involving both the city and the Department of Sewage should be listed.

"Civil rights compliance review" means any review assessing the applicant's and/or recipient's compliance with laws prohibiting discrimination on the basis of race, color, national origin, sex, age, or disability.

Submit this form with the original and required copies of applications, requests for extensions, requests for increase of funds, etc. Updates of information are all that are required after the initial application submission.

If any item is not relevant to the project for which assistance is requested, write "NA" for "Not Applicable."

In the event applicant is uncertain about how to answer any questions, EPA program officials should be contacted for clarification.

* Questions VII – XI are for informational use only and will not affect an applicant's grant status. However, applicants should answer all questions on this form. (40 C.F.R. Parts 5 and 7).

** Note: Signature appears in the Approval Section of the EPA Comprehensive Administrative Review For Grants/Cooperative Agreements & Continuation/Supplemental Awards form.

Approval indicates, in the reviewer's opinion, questions I – VI of Form 4700-4 comply with the preaward administrative requirements for EPA assistance.

"Burden Disclosure Statement"

EPA estimates public reporting burden for the preparation of this form to average 30 minutes per response. This estimate includes the time for reviewing instructions, gathering and maintaining the data needed and completing and reviewing the form. Send comments regarding the burden estimate, including suggestions for reducing this burden, to U.S. EPA, Attn: Collection Strategies Division (MC 2822T), Office of Information Collection, 1200 Pennsylvania Ave., NW, Washington, D.C. 20460; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, D.C. 20503.

The information on this form is required to enable the U.S. Environmental Protection Agency to determine whether applicants and prospective recipients are developing projects, programs and activities on a nondiscriminatory basis as required by the above statutes and regulations.

EPA Project Control Number

CERTIFICATION REGARDING LOBBYING

CERTIFICATION FOR CONTRACTS, GRANTS, LOANS AND COOPERATIVE AGREEMENTS

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including sub-contracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31 U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Aaron Smokey, Vice Chairman

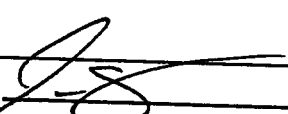
Typed Name & Title of Authorized Representative


Signature and Date of Authorized Representative

DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse for public burden disclosure.)

Approved by OMB
0348-0046

1. Type of Federal Action: <input checked="" type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance		2. Status of Federal Action: <input checked="" type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award		3. Report Type: <input checked="" type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change For Material Change Only: year _____ quarter _____ date of last report _____	
4. Name and Address of Reporting Entity: <input checked="" type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known: Washoe Tribe of Nevada & California 919 Highway 395 South, Gardnerville, NV 89410 Congressional District, if known: CA:14 and NV:2			5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime: Congressional District, if known:		
6. Federal Department/Agency: U.S. Environmental Protection Agency			7. Federal Program Name/Description: Non Point Source Program CFDA Number, if applicable: 66.460		
8. Federal Action Number, if known:			9. Award Amount, if known: \$ 180,000		
10. a. Name and Address of Lobbying Registrant (if individual, last name, first name, MI): NA			b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI):		
11. <small>ation requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.</small>			Signature:  Print Name: Aaron Smokey Title: Vice Chairman Telephone No.: 775.265.8600 Date: 5/6/10		
Federal Use Only:				Authorized for Local Reproduction Standard Form LLL (Rev. 4/2012)	

INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a followup report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, State and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, State and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, State and zip code of the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.

(b) Enter the full names of the individual(s) performing services, and include full address if different from 10 (a). Enter Last Name, First Name, and Middle Initial (MI).
11. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB Control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, DC 20503.

COMPETITIVE WORKPLAN

**Nonpoint Source (NPS) Watershed Protection Within the
Washoe Tribe of Nevada and California Lands
Under the EPA Clean Water Act Section 319(h)**

**NPS Floodplain Conservation, Trail and Roadway Stabilization/Decommission and
Bank Stabilization Projects for Washoe Tribal Upper Clear Creek Parcel, Nevada**

FY2010

Prepared for:

U.S. Environmental Protection Agency
Region 9, Water Division
75 Hawthorne Street
San Francisco, CA 94105

Prepared by:

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Of the:

Washoe Tribe of Nevada and California

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Upper Clear Creek floodplain meadow (desired condition)

1.0 INTRODUCTION

1.1 Proposal Purposes

The Washoe Tribe of Nevada and California is submitting the following proposal in response to the EPA FY10 Request for Proposals from Indian Tribes and Intertribal Consortia for Nonpoint Source Management Grants Under Clean Water Act (CWA) Section 319(h). The Washoe Tribe is eligible to compete for the program and competitive Watershed funding in that:

- EPA has approved the Washoe Nonpoint Source Assessment and Management Program.
- EPA has granted approval to the Washoe Tribe pursuant to CWA Section 518 ("Treatment-as-a-State") to administer the Nonpoint Source (NPS) Pollution Program.
- EPA has granted approval of the *Carson River Stewardship Plan (CRSP)* which includes the 9 Components of a Watershed Plan which EPA requires for proposed watershed NPS projects (refer to Appendix C).

- The proposed project area is within Tribal “reservation” lands (refer to Maps 1 and 2: Washoe Upper Clear Creek Parcel and parcels within the Clear Creek Watershed).

The proposed 157 acre project area aims to reduce NPS pollution caused by flooding, stormwater runoff from trails and roadways, and forestry activities at Upper Clear Creek Parcel which includes a portion of Clear Creek and a tributary which are subwatersheds within the Carson River Watershed (refer to Maps 1 and 2). Specifically, the project strives to reduce sediment and nutrient loading and improve streambank stability and wetland/meadow function.

The proposed project area was severely impacted from the logging activities during the Comstock period. Clear Creek was utilized as a flume to move logs from Spooner Summit, Lake Tahoe to the Carson River and transported to Virginia City, NV. Following the Comstock period the area was utilized for grazing until the Tribe acquired the property from the Bureau of Indian Affairs in the mid 1980’s when the Stewart Indian School properties were disposed of. Current road systems such as Old Clear Creek Road (part of the historical Lincoln Highway), Highway 50, logging roads and new developments surrounding the parcel have caused degraded unstable drainage ways throughout the parcel and increased sedimentation loading in the creek. Flooding is also a common occurrence; the 1997 and 2006 floods caused severe streambank instability. The stream channel has lowered in some areas so that the floodplain is not accessible thus the riparian/meadow hydrological function has changed lowering the groundwater table and drying out the riparian/meadows. *Usewi Wata* or Clear Creek has always been an important resource to the Washoe, both culturally and as a life source. The Washoe Tribal Council passed a resolution to set aside the Upper Clear Creek Parcel as a Forest and Cultural Preserve. The parcel is utilized for culture events, family gatherings, educational camps, recreation, fishing, gathering, and cultural and natural resource management activities.

The proposed project falls within the EPA’s 2006-2011 Strategic Plan in advancing the protection and improvement of water quality support of Goal 2 (Clean and Safe Water), Objective 2.2 (Protect Water Quality), Sub-objective 2.2.1 (Protect and Improve Water Quality on a Watershed Basis).

Reduction of the NPS pollutants will be achieved through implementation of NPS measures utilizing several Best Management Practices (BMP) such as:

- Installation of bank stabilization measures, structures, rock check/log check dams, and reshaping, combined with vegetative treatments in 12 areas (approx 1-2 vertical foot) of degraded drainage channels as erosion and sediment control measures
- Installation of bioengineering practices (e.g. willow fascines, brush layering, pole plantings) on 200 linear feet of unstable streambank

- Installation of grade control structures in 4 areas to stabilize and improve the hydrological function of meadow and wetlands
- Trail and fire road stabilization/decommission approximately 1 mile

The proposed implemented projects will assist in efforts towards restoring water quality, watershed condition, and aquatic and riparian habitat on tribal lands as outlined in the Washoe Tribe of Nevada & California's Nonpoint Source Assessment and Management Program and the *Carson River Stewardship Plan* (CRSP) which includes the 9 Components of a Watershed Plan which EPA requires for proposed watershed NPS projects (refer to email attachment).

1.2 Background Statement

The Carson River Watershed (CRW) is on the Nevada 303d list for exceeding impairments of dissolved oxygen and temperature in the project's reach of the River. The Nevada Division of Environmental Protection (NDEP) in September 2007 had Total Maximum Daily Loads (TMDL) approved by EPA for total suspended solids and turbidity. The CRW is one of the EPA's targeted hydrologic unit areas. The CRW is also one of the 12-targeted areas on the National Clean Water Action Plan for coordinated restoration demonstration watersheds. The proposed project is a subwatershed within the CRW named Clear Creek Watershed and is on the NDEP 303d list for zinc, iron, fecal coliform, dissolved oxygen, and temperature at the gauging station on the Tribe's Lower Clear Creek Parcel.

The stakeholders within the CRW have completed several plans, which include *Carson River Master Plan* (2001), *Fluvial Geomorphic Assessment of the Carson River with Implications for River Management* (1996), *Upper Carson River Watershed Stream Corridor Condition Assessment* (2004) and the *Carson River Stewardship Plan* (2007). The *Carson River Stewardship Plan* (CRSP) includes the 9 Components of a Watershed Plan which EPA requires for proposed watershed NPS projects (refer to email attachment). Implementation of the proposed projects follow recommended activities within the CRSP and the Tribe's NPS Assessment Report and Management Program.

The WEPD completed a Unified Watershed Assessment (UWA), which listed the Middle Carson and Clear Creek as Category 1, and Priority 1 Watersheds. The UWA also lists and ranks tributaries, which influence the main watersheds. The proposed project is located in the upper reach of Clear Creek (perennial), which confluences with the Middle Carson River, and is located on the Washoe Upper Clear Creek Parcel which is situated between Spooner Summit, Lake Tahoe and Carson City, Nevada. Clear Creek Watershed Council was formed to protect, conserve, and restore Clear Creek Watershed through collaboration, education, and planning (additional information can be viewed at <http://www.conservationdistricts.org/ccwc>). Due to the importance of the Clear Creek Watershed, a Stakeholder Group identified the need for a watershed assessment project to locate and identify erosion and sedimentation areas, and developed mitigation alternatives with construction cost estimates. This was completed January, 2003

(PBS&J, *Clear Creek Erosion Assessment Final Report*). The streambank and several of the degraded drainages were identified in the Final Report as a “high erosion and high priority projects”. The Tribe has completed several studies on Clear Creek due to the Tribe owning three parcels located on the upper, middle and lower portion of the watershed (Refer to Map 2). The WEPD conducts quarterly surface, groundwater and storm water monitoring through EPA Clean Water Act 106, BIA Water Resources and BOR Water Resources funding. Clear Creek once had a viable population of Lahontan Cutthroat Trout (LCT). The LCT was a stable food source for the Washoe until the watershed was severely damaged from the Comstock period when they were exterminated. WEPD has conducted habitat assessments and fisheries inventory work throughout the watershed and has future plans to complete a Lahontan Cutthroat Trout Reintroduction Implementation Plan when funding is available; this effort will be coordinated with U.S. Fish and Wildlife Service (USFWS) and Nevada Division of Wildlife (NDOW) and several other stakeholders. A USGS gauging station is located on the Tribe’s Lower Clear Creek Parcel downstream of the proposed project.

1.3 NPS Subcategories and Pollutants/Threats

The Washoe NPS program utilizes the Implementation of the NPS Assessment Report and Management Program along with the CRSP and other planning documents that identify areas of concern such as the Clear Creek Watershed and guidance in addressing NPS pollutants (stream bank stabilization, sediment loading, elevated bacteria and water temperatures etc.) that impact water resources. The following NPS Categories with the associated subcategories and pollutant/threats for the proposed projects follow recommended activities within both plans.

NPS Categories	NPS Subcategory	BMP
Habitat Modification	Bank Modification/Destabilization	Streambank Protection and Stabilization
Floodplain Conservation	Loss of natural function	Erosion and Sediment Controls
Urban Runoff/Stormwater	Roadway maintenance and runoff	Stream Protection and Stabilization

NPS pollution caused by flooding, agricultural activities, and development are major contributors of NPS pollution in the watershed. Water quality monitoring is completed throughout the watershed through a cooperative effort of stakeholders. The WEPD conducts quarterly surface water sampling through EPA Clean Water Act 106 funding on waters located on tribal lands. Two surface water sample sites (1 datalogger/1 grab) and a stormwater sample site are located within the proposed project area. Parameter results over the past two years have ranged from 104 - 120 for total dissolved solids (TDS), TKN is consistent at <0.2, turbidity (NTU) have ranged from 1.2 – 3.2, dissolved oxygen levels at 11.3 -11.9 and color has ranged from 5 - 10.

1.4 Project Goals and Objectives

The primary goal of the Washoe NPS Program is to identify, control, and abate the impacts of NPS pollution on the quality of the Tribe's water resources. This goal will provide for the beneficial use of the surface and ground water resources. Water quality, riparian and watershed condition must be managed to provide the opportunity for the Tribe to exercise beneficial and traditional uses.

The proposed 157 acre project aims to reduce NPS pollution caused by flooding, stormwater runoff from trails and roadways and forestry activities at Upper Clear Creek Parcel which includes a portion of Clear Creek that confluence with the Carson River Watershed. Specifically, the project strives to reduce sediment and nutrient loading and improve trails/roadways, streambank stability and wetland/meadow function. The project area was severely impacted from the 1997 and 2006 flood events that caused bank failures, erosion and several degraded drainage channels.

Goal: Reduce excessive sediment transport

Activities (BMPs):

1. Erosion and Sediment Controls
2. Slope Stabilization
3. Stream Protection and Stabilization

Project Objectives:

- Restore and protect impaired sites impacted by NPS pollution
- Track progress through program evaluation and fiscal administration
- Program capacity building and project coordination
- Implement "on-the-ground" projects.
- Monitor success of implemented projects

The Table Work Plan (Appendix A) provides the description of components and activities, outputs and target dates, and estimated staff hours and costs associated with completing the proposed project.



Stable drainage grassy waterway (Desired Condition)



**Gully forming from stormwater runoff Clear Creek Road
(Undesired condition BMPs will easily address erosion and sediment issues)**



**Severe headcut impacting Clear Creek
(Erosion/sediment controls and vegetative measures needed)**



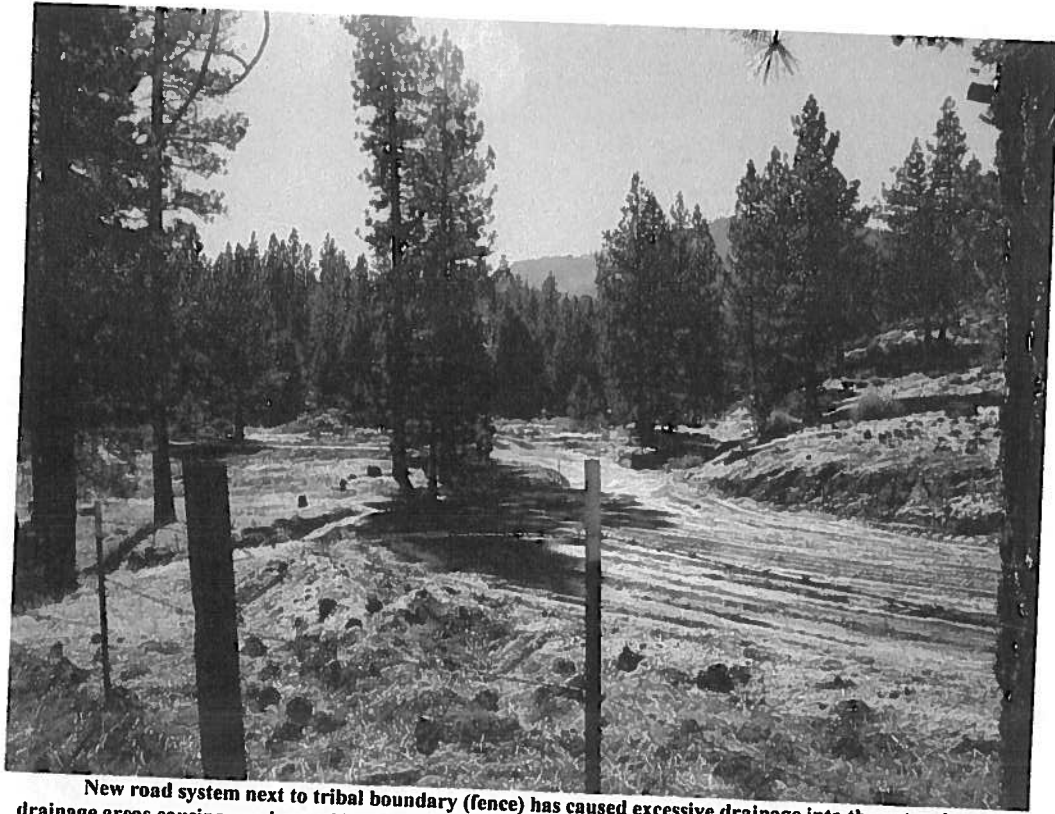
**Early stage incision forming from concentrated flows off of roadway
(BMPs will easily address erosion issue at this stage)**



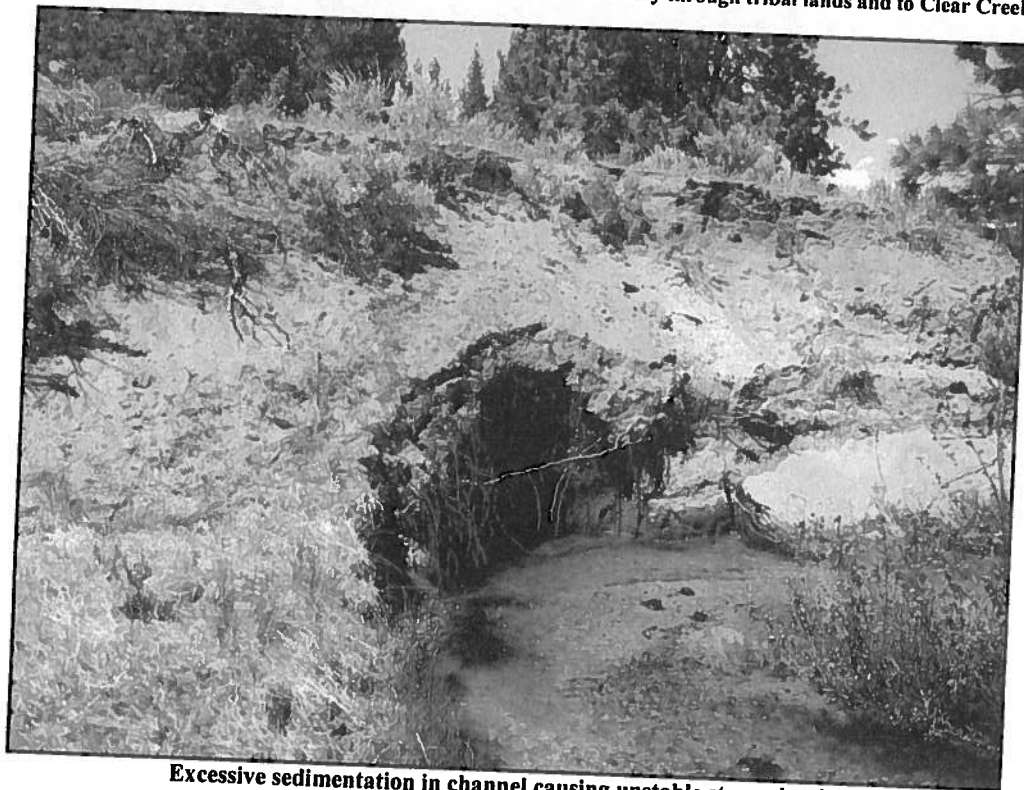
Culvert outflow near Clear Creek Road headcuts (Erosion and Sediment Controls Needed)



Drainage gullies formed from excessive sedimentation and stormwater from roadway is starting to form a headcut into the meadow. (Erosion and Sediment Controls needed)



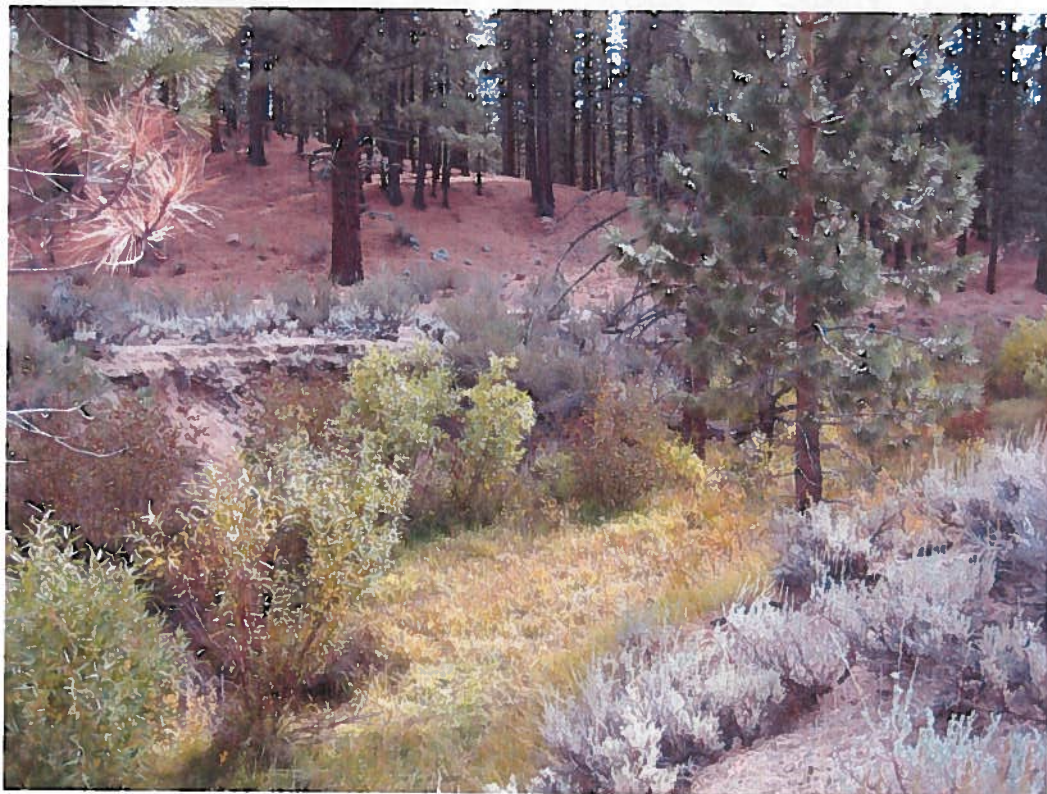
New road system next to tribal boundary (fence) has caused excessive drainage into the natural drainage areas causing erosion and increased sedimentation delivery through tribal lands and to Clear Creek.



Excessive sedimentation in channel causing unstable streambank.
(Undesired condition, streambank stabilization needed)



**Large unstable construction disturbance next to Tribal boundary, modifying natural drainage
(Drainage modifications needed to address erosion and sedimentation impacts)**



**Willow lined channel with herbaceous vegetation protecting floodplain
(Desired condition)**

1.5 Measures to be Implemented and General Approach

WEPD will be the lead Tribal department organizing, implementing, and administering the program. The WEPD Director and Coordinator will oversee the WEPD NPS lead staff member assigned to the project. The NPS lead is responsible for implementation and staffing coordination during the field season. Monthly updates will be provided to the Tribal Council. The NPS lead is responsible for coordinating the project. Quarterly reporting with WEPD staff will be completed including water resources for surface water quality monitoring data. The Director is responsible for administrative oversight and being a liaison between tribal and non tribal entities. The Tribal Financial Department will be responsible for submitting required financial status reports to the EPA.

The activities will be coordinated with the other tribal departments, the 4 Tribal Communities, and local agencies including state, federal, USDA Natural Resource Conservation Service (NRCS), Western Nevada Resource Conservation & Development Inc. (WNRC&D), Carson Valley Conservation District, Clear Creek Watershed Group, and Tribal Youth programs.

2.0 WORK PLAN COMMITMENTS

2.1 Summarize Progress; Program Annual Evaluation/Program Fiscal Admin

Purpose and Need: Progress reports are necessary to evaluate the effectiveness of our NPS Program. The Tribe is required to submit quarterly progress reports to the EPA and jointly evaluate grant accomplishments with the EPA Project Officer. Washoe Environmental Protection Department (WEPD) is required to submit monthly progress reports to the Tribal Council. In addition, as a NPS grantee, the Tribe is required to adhere to administrative requirements identified in 40 CFR Part 31 and OMB Circular A-87.

Goals and Objectives: To keep the Tribe and EPA informed of WEPD accomplishments, expenditures, challenges, and activities and maintain compliance with administrative requirements.

Approach/Responsibilities: The WEPD will submit monthly reports to the Tribal Council and quarterly reports to the EPA. The Tribe's fourth quarter "year end" report will assess the progress and accomplishments for the entire year. The EPA Project Officer will review WEPD quarterly reports and will provide a written evaluation "final report" of WEPD progress under the NPS agreement. A draft of the EPA Project Officer's evaluation will be submitted to the Environmental Director for review prior to being finalized and sent to the Tribal Chair.

Quarterly reports will contain the following information:

- A discussion of accomplishments as measured against the work plan commitments and anticipated environmental outputs and outcomes, for each work plan task.
- A discussion of the cumulative effectiveness of the work performed under all work plan components.
- A discussion of existing and potential problem areas.
- Suggestions for improvement, including, where feasible, schedules for making improvements.
- Status of expenditures (cumulative) for reporting period and explanations of cost overruns/under-runs if applicable.

Environmental Outcomes/Results: This task will keep WEPD and the Tribe in compliance with 40 CFT 31.40, 31.41, 35.507, 35.515, and 35.638 federal reporting requirements.

Output/Deliverables & Target Dates

1. Quarterly Reports to EPA (12/31/10, 3/31/11, 6/30/11 and 9/30/11)
2. Final Report (Annual Report) (12/31/11)
3. Tribal Council Reports are due the first week of every month. Reports are available upon request by EPA Project Officer.
4. Financial Status Report (submitted quarterly by the Tribal Finance Dept. Final FSR will be submitted 90 days after end date 12/31/11).
5. MBE/WBE (10/30/11 and 90 days after end date 12/31/11)

Estimated Cost: \$ 26,749

2.2 Program Capacity-Building and Coordination

Purpose and Need: To coordinate and schedule WEPD NPS program tasks and activities with other environmental program activities for long and short term planning including updating the CRSP with the stakeholders. In addition, providing educational information to Tribal members on NPS Program and implementation.

Goals and objectives: To meet the goal of the NPS Program to assist tribes in developing the capacity to manage their own NPS Programs and to develop and implement BMP measures to minimize impacts to water resources. In addition to providing NPS educational information on BMP implementation to protect water resources.

Approach/Responsibilities: The WEPD Director and Coordinator will schedule and coordinate program activities. The WEPD Director and Coordinator will hire/train staff, hold staff meetings, draft RFPs and develop contracts as necessary. The Tribe's General Council, Administrator, Finance Director, and Secretary/Treasurer will review and make any modifications on contracts. The WEPD staff will attend Tribal managers meetings, and other meetings related to NPS. The WEPD Administrative Assistant will assist with

arranging travel, training, and record keeping of program activities. The WEPD Director and Coordinator will research and draft environmental grant proposals to assist with meeting the goals and objectives. The ES II NPS lead will attend the Carson River Watershed and Clear Creek Watershed meetings and assist with updating the CRSP, and coordinate activities with the Conservation Crew to implement projects. WEPD staff will evaluate and assist with recommendations on local stormwater issues that are impacting Tribal resources (e.g. Sun Ridge and Topsy Lane areas). WEPD staff will attend NPS workshops and trainings related to implementation. WEPD staff will develop educational activities and hands-on BMP implementation trainings to Tribal members at events and through articles, fliers and website.

Environmental Outcomes/Results: This task will result in building Tribal capacity in NPS management on tribal lands and coordination of WEPD program activities. WEPD will provide educational opportunities to over 100 people on WEPD NPS Program and BMP implementation.

Output/Deliverables & Target Dates:

1. Status of activities will be summarized in quarterly reports.
2. A copy of a list of trainings/workshops and copy of meeting calendars will be submitted with quarterly reports.

Estimated Cost: \$ 26,758

2.3 "On-the-Ground" Planning and Implementation: NPS Floodplain Conservation, Trail and Roadway Stabilization/Decommission and Bank Stabilization Projects for Washoe Tribal Upper Clear Creek Parcel, Nevada

Purpose and Need: To stabilize and reclaim the surface disturbance area, reduce soil erosion, and control runoff and sediment delivery from trails and roadways and riparian zones. Including the implementation of NPS BMP measures to address degradation of several drainage channels, meadow and riparian areas along Old Clear Creek Road and Clear Creek on the Tribe's Upper Clear Creek Parcel (refer to Maps 1 and 2), located within the Carson River Watershed, NV. The project will provide the resources necessary to continue implementing erosion and sediment control measures to protect and to strive towards restoring water quality, watershed condition, and aquatic and riparian habitat on tribal lands as outlined in the Washoe Tribe of Nevada & California's Non Point Source Assessment and Management Program and implementing the projects under the Carson River Stewardship Plan and Clear Creek Erosion Assessment Final Report.

Goals and objectives:

Goals:

1. Reduce excessive sediment transport.
2. Reduce risk of possible surface and ground water contamination.
3. Decrease non point source impacts through education and outreach.
4. Restore hydrological function to meadow and riparian areas.

5. Improve trails and roadways functionality.
6. Improve vegetative cover.

Project objectives:

1. Erosion and sediment controls using rock or log check dams, rock structures, diversions, sediment retention or conveyances.
2. Reduction of excessive sediment transport and long-term potential of improved surface and ground water quality for aquatic and terrestrial species.
3. Provide public outreach opportunities by promoting Tribal BMP education program by providing training, hosting special tours, and giving presentations.
4. Trail and roadway stabilization/decommission utilizing erosion and sediment control measures.

Approach/Responsibilities: The following approach, activities and responsibilities will be completed by WEPD staff.

1. The WEPD Director and Coordinator will assign personnel to complete sections of this task. Assign tasks to WEPD personnel and identify any possible modifications needed in work plan. Complete time-table coordinating funding efforts. Draft RFPs for contractors to complete engineering designs, inspect projects, and assist with implementation where needed. In addition to completing required tribal contracting steps. Schedule the Tribal Conservation Crew to implement projects. Coordinate NPS Program activities with other WEPD activities. Obtain any necessary permits and have Tribal Historic Preservation Officer assess project area. Administrative assistant will assist with record keeping and any necessary travel, event or training arrangements.
2. Construct implementation projects.
 - Erosion and sediment control measures at 12 degraded drainage channel areas; installation of BMP rock/log check dams, diversions, sediment retention and conveyance systems, and vegetative treatments. Utilize bioengineering BMPs on 4 areas to stabilize and improve hydrological function of meadow and riparian areas. Work with partners (ITCN Tribal Liaison, CCWG, and NRCS etc.).
 - Streambank stabilization utilizing willow fascines, brush layering, waddles, vegetative treatments, rock, and pole planting along approximately 200 linear feet of Clear Creek.
 - Trail and roadway stabilization/decommission utilizing BMPs.
 - Access to east side of creek: temporary crossing if necessary. Work with partners (U.S. ACE, Army Reserves, USFWS, NRCS)
3. Conduct training of tribal crews and volunteers. Identify materials to be used and make a timeline for collection or purchasing.
4. Provide NPS Program educational opportunities (website, articles, events, etc.) and BMP demonstration projects to tribal members. Host tours of project site for Tribal members, local watershed groups and others.

5. Develop and conduct monitoring activities according to Monitoring Plan in coordination with water resource staff under approved QAPP. Utilize GPS/GIS to map areas and document implementation. Establish photo points.

Environmental Outcome/Results:

It is anticipated that the projects implementation will result in reduced sediment delivery, reduced delivery of nutrients, increased bank stability, restore hydrological function in meadow and riparian areas, stabilize trail and roadways, and improved NPS Program and BMP implementation knowledge through education and outreach activities. These results will benefit surface and ground water quality and function, in addition to improving aquatic and wildlife habitat in the Clear Creek and Carson River Watersheds.

Outputs/Deliverables & Target Dates:

1. Summary of progress of task activities will be submitted with quarterly reports.
2. Final report (acres/feet of vegetation planted, structures installed, estimated yards of sediment controlled, number of willows and aspen/alder/cottonwood planted/established, feet of streambank/slope, number of degraded drainage channels addressed, acres of meadows protected and other BMP measures taken) detailing the success of the projects/activities, and identify future BMP projects needed in area. (12/31/11)
3. Copy of presentations, and educational materials developed during the project period will be submitted quarterly.

Estimated Cost: \$ 113,160

3.0 MANAGEMENT

3.1 Organization/Staffing

WEPD will be the lead Tribal department organizing, implementing, and administering the program. The WEPD Director and Coordinator will oversee the WEPD NPS lead staff member assigned to the project. The NPS lead is responsible for implementation and applicable staff coordination during the field season. Monthly updates will be provided to the Tribal Council. The NPS lead is responsible for coordinating the project quarterly reporting with WEPD staff (conservation crew and Environmental Specialists) including water resource staff for surface water quality monitoring data. The Director is responsible for administrative oversight and being a liaison between tribal and non tribal entities. The Tribal Financial Department will be responsible for submitting required financial status reports to the EPA.

3.2 Implementation and Schedule

The proposed project will begin on October 1, 2010 and will end on December 31, 2011. Implementation of projects will occur during two field seasons: fall to early winter and spring to summer; the planning of the on-the-ground activities will take place mainly in the dry seasons and during the fall. Field work is contingent on weather and soil conditions.

3.3 Environmental Results Past Performance

The Washoe Environmental Protection Department (WEPD) has had several federal and non-federal agreements within the past three years. Each of the agreements has set guidelines in reporting of tasks and activities accomplished during the reporting period. The work plan is used as a program logic model and management tool that is used throughout a program's life. Using evaluation and the logic model results in effective programming and offers greater learning opportunities, better documentation of outcomes, and shared knowledge of what works and why.

Quarterly reports contain the following information:

- Comparison of actual versus expected progress achieving environmental outcomes and outputs, for each work plan task.
- Explanations for lack of progress (or anticipated lack of progress) if applicable.
- Suggestion for improving grant performance or modifying expectations (including proposed changes to target due dates) if necessary.
- Status of expenditures (cumulative) for reporting period and explanations of cost overruns/ under-runs if applicable and equipment purchases.

Five Agreements:

1. EPA SWDA Special Purpose Activities: RCRA 8001 FY07
2. EPA Direct Implementation Tribal Cooperative Agreement FY07
3. EPA Non Point Source 319h since 2000
4. EPA Clean Water Act Section 106 since 1998
5. EPA General Assistance Program since 1994

Currently, the WEPD has over 18 agreements with several agencies including: U.S Forest Service, EPA, Department of Transportation, U.S. Department of Energy, Bureau of Reclamation, USDA, Bureau of Indian Affairs, Indian Health Service, and NRCS etc. Examples of outputs and outcomes from previous agreements include the establishment of several law and order codes, completion of a Non Point Source Assessment and Management Plan, draft Water Quality Standards, Unified Watershed Assessment, Open Dump Closure Plans, wellhead protective fencing on 8 sites, several streambank stabilization projects, wildland fire vegetative and erosion control implementation projects, and implementation of the Washoe Integrated Solid Waste Management Plan. The above five agreements listed were implemented successfully by WEPD.

The WEPD also has mandatory monthly reporting requirements for the Tribal Council which assists with keeping the Council informed of activities, issues, and project updates. The reporting has benefited WEPD in gaining Tribal Council support in natural resource protection. The EPA Project Officer for the Tribe's water programs has a strong relationship with WEPD and also is aware of local watershed issues. The long standing partnerships (federal, state, local, and tribal) within the Carson River Watershed (includes the Clear Creek Watershed) has also lead to many important efforts to protect water quality and other natural resources.

4.0 BUDGET NARRATIVE

A detailed line itemed budget has been developed and is included within this document. The budget defines and outlines cost elements and is the basis for implementing and maintaining the agreement. The itemized budget includes a column indicating the source of matching requirements by the Tribe.

Appendix A contains the budget details that reflect the overall costs for each component of the project. The matching requirements will be met through in-kind contributions.

4.1 Personnel

Personnel costs include costs for WEPD staff. The cost is associated with the activities under the *Approach/Responsibilities* section of the Work Plan (Appendix A). Estimated time for all staff involved in the program is budgeted. The Tribal Historic Preservation Officer's time to assess the site will be used as in-kind match.

4.2 Fringe Benefits

Fringe benefits are required to maintain the staff positions and include statutory payments, health and liability insurance, retirement, and vacation liability. The rates are established through the Tribal policy and must be applied against all labor costs. Rates include FICA, SUTA, SIIS, health insurance, retirement, vacation, and liability insurance.

4.3 Operating Costs/Travel

Operating Costs includes local travel to project area and related meetings (federal rate is used) and non local travel costs for NPS related trainings and workshops and fuel costs for the equipment.

4.4 Contractual

Contractual costs includes contractor for any design, surveying, crossing and for large sized rock that are necessary for the project. Rental of large equipment such as an excavator and track-hoe are also included.

4.5 Equipment

Equipment includes Washoe In-Kind match for use of trailers to haul materials, hand equipment (chain saws, auger, etc.), quads and vehicle to transport staff and materials, dump truck, and backhoe.

4.6 Supplies

Supplies will be needed to support office work and field activities. Supplies for the field will be hand tools, string, gloves and other small purchases that are necessary for on the ground implementation.

4.7 Other

Other costs includes: Best Management Practice (BMP) materials such as piping, matting, native seed and plants, stakes, separator, etc. Communication and maintenance line item which are costs associated with phones, internet, alarm fees, electricity, water/sewer costs. These are program costs not covered under indirect costs. In addition the Tribe's in-kind contribution for screened cobble rock, wood chips, and willow/aspen for bank stabilization.

4.8 Total Direct Costs

Total direct costs are the sum of the cost elements shown above. The amount requested complies with the EPA *FY 2010 Request for Proposals from Indian Tribes and Intertribal Consortia for Nonpoint Source Management Grants Under Clean Water Act (CWA) Section 319*.

4.9 Indirect Costs

The Tribe has an approved 2009 Indirect Cost Rate (on file at EPA R9) and plans on submitting the 2010 proposal in January thus the 2010 Indirect Cost Rate is expected to be approved prior to the start date of the proposed project.

4.10 In-Kind Costs

The Tribe will provide the required "In-Kind" match and is covered under the "Other and Equipment" line items. General guidelines on appropriate sources of In-kind contributions have been supplied by the EPA and will be followed. The Tribe is expecting approval for the 10% hardship waiver which was utilized for the proposal.

4.11 Total Program Costs

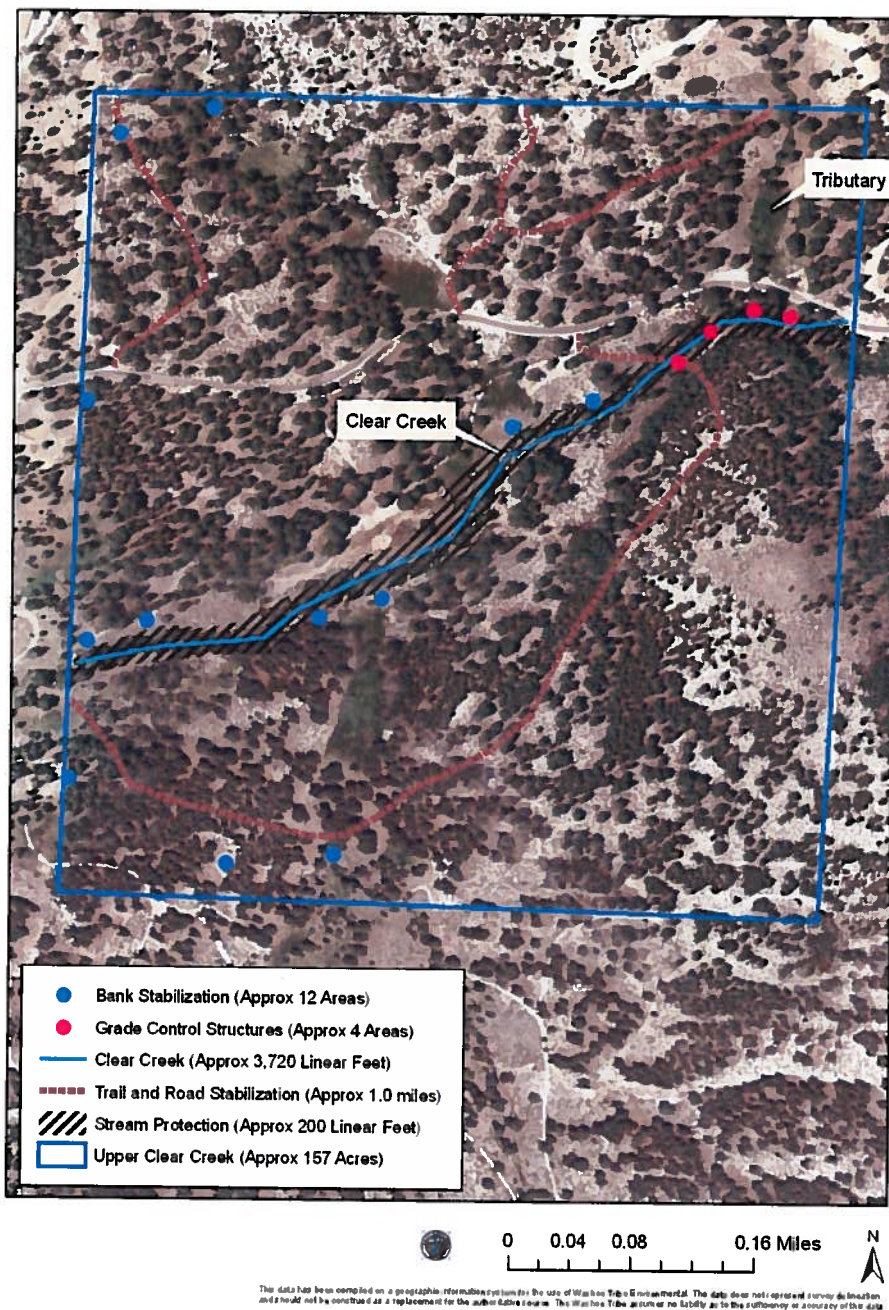
Total program costs are the sum of direct, indirect costs and the match.

MAPS

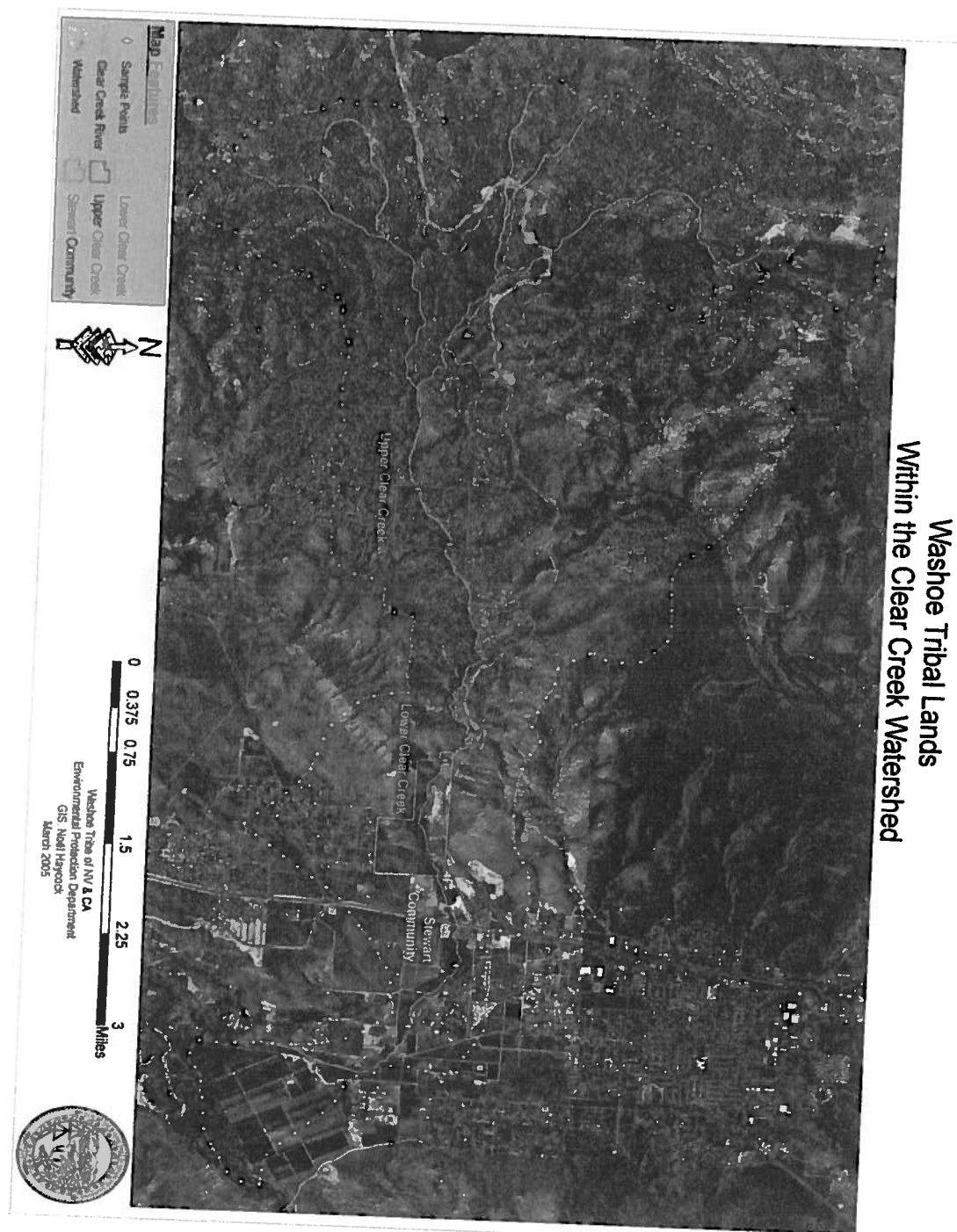
Map 1 EPA NPS Watershed Project FY10, Upper Clear Creek Parcel
Map 2 EPA NPS Watershed Project FY10, Washoe Tribal Lands Clear Creek Watershed, Nevada

Washoe Tribe of Nevada and California
EPA NPS Watershed Project FY10
Upper Clear Creek
Douglas County, Nevada

Washoe Tribe of NV and CA
Environmental Protection Department
GIS J. Johnson
December 2009



Map 1 EPA NPS Watershed Project FY10, Upper Clear Creek Parcel



Map 2 EPA NPS Watershed Project FY10, Tribal lands, Clear Creek Watershed

Tables

Proposed Line Item Budget

Washoe Tribe of Nevada California
EPA NPS 319h FY10
Watershed Budget

LINE ITEM	CALCULATION	EPA REQUEST	IN-KIND MATCH
Personnel			
Environmental Department Director	44.25/hour x 200	8,850	
Environmental Coordinator	33.25/hour x 150	4,988	
1 FTE Environmental Specialist II	23.38/hour x 1100	25,718	
Tribal Historic Preservation Officer	36.58/hr x 20		732
Environmental Specialist I	17.57/hour x 500	8,785	
Washoe Conservation Crew	15.06 x 500 x 3	22,590	
Administrative Assistant I	\$19.32/hour x 150	2,898	
Subtotal Personnel		73,829	732
Fringe Benefits			
FICA	0.0765	5,648	56
SUTA	0.018	1329	13
SIIS	0.0221	1,632	16
Health Insurance	\$523/mo x 1.5 FTE x 14	7,322	50
Vacation Liability	.125 x sal	6,275	
Liability Insurance	\$40mo x 4 x 14	2,240	
Retirement Plan	.06 sub sal	4,430	
Subtotal Fringe Benefits		28,876	135
Subtotal Personnel & Fringe		102,705	867
Travel			
Local Travel	\$.55per mile x 3,000	1,650	
Fuel for equipment	150 gals @ \$3.33/gal	500	
Non Local Travel	Workshops and Trainings	2,000	
Subtotal Travel		4,150	
Contractual			
Contractor for engineering design, large rock and other materials needed to complete the projects		11,000	
Equipment	Excavator / Track hoe (\$1,000 day x 9.5)	9,522	
Subtotal Contractual		20,522	
Equipment			
Washoe Tribe	trailer to haul materials, equipment, and tools @ 25day x 30 days = (\$750), 2 quads and vehicle use for project mobilization 6 wks @ \$350/wk = (\$4,200), dump truck @ \$750 wk x 3wks = (\$2,250), backhoe @ \$1,450/wk x 3wks = (\$4,350) etc.		13,425
Subtotal Equipment			13,425
Supplies			
General Office	\$35.71 x 14mo	500	
Field Supplies	Field tools	1,909	
Subtotal supplies		2,409	
Other			
BMP materials	pipng,matting, native seed and plants, stakes, separator etc.	5,000	
Washoe Tribe	cobble rock @ \$20 yrd x 80yds = (\$1,600), wood chips @ \$25yrd x 15yds = (\$375), willow @ \$1.00ft x 350ft.		2,375
Communication/Maintenance	phone, internet, cell phone, postage, elect, etc.	1,600	
Subtotal Other		6,600	2,375
Total Direct Costs		136,386	16,667
Indirect costs @ 11.75% minus contractual and equipment		13,614	
Total Project Costs		150,000	16,667

* In-Kind Reflects Waiver request for 10% match

APPENDIX A: Table Work Plan (attached)

APPENDIX B: Supporting Documentation (attached)

**WASHOE TRIBE OF NEVADA & CALIFORNIA
EPA TRIBAL NONPOINT SOURCE PROGRAM FY10
PROPOSED WATERSHED WORKPLAN IMPLEMENTATION OF WATERSHED-BASED PLAN
OCTOBER 1, 2010 THROUGH DECEMBER 31, 2011**

Program Administration Component: DESCRIPTION OF TASKS & ACTIVITIES	DELIVERABLES/ OUTPUTS & TARGET DATES	BEGIN & END DATES	ESTIMATED PERSON/YEARS (2080hrs = 1 YR)	ESTIMATED COST
<p>Task 1. Summarize Progress; Program Annual Evaluation/Program Fiscal Admin</p> <p><i>Purpose and Need:</i> Progress reports are necessary to evaluate the effectiveness of our NPS Program. The Tribe is required to submit quarterly progress reports to the EPA and jointly evaluate grant accomplishments with the EPA Project Officer. Washoe Environmental Protection Department (WEPD) is required to submit monthly progress reports to the Tribal Council. In addition, as a NPS grantee, the Tribe is required to adhere to administrative requirements identified in 40 CFR Part 31 and OMB Circular A-87.</p> <p><i>Goals and Objectives:</i> To keep the Tribe and EPA informed of WEPD accomplishments, expenditures, challenges, and activities and maintain compliance with administrative requirements.</p> <p><i>Approach/Responsibilities:</i> The WEPD will submit monthly reports to the Tribal Council and quarterly reports to the EPA. The Tribe's fourth quarter "year end" report will assess the progress and accomplishments for the entire year. The EPA Project Officer will review WEPD quarterly reports and will provide a written evaluation "final report" of WEPD progress under the NPS agreement. A draft of the EPA Project Officer's evaluation will be submitted to the Environmental Director for review prior to being finalized and sent to the Tribal Chair.</p> <p>Quarterly reports will contain the following information:</p> <ul style="list-style-type: none"> • A discussion of accomplishments as measured against the work plan commitments and anticipated environmental outputs and outcomes, for each work plan task. • A discussion of the cumulative effectiveness of the work performed under all work plan components. • A discussion of existing and potential problem areas. • Suggestions for improvement, including, where feasible, schedules for making improvements. • Status of expenditures (cumulative) for reporting period and explanations of cost overruns/under-runs if applicable. <p><i>Environmental Outcomes/Results:</i> This task will keep WEPD and the Tribe in compliance with 40 CFT 31.40, 31.41, 35.507, 35.515, and 35.638 federal reporting requirements and evaluate performance under this agreement.</p>	<ol style="list-style-type: none"> 1. Quarterly Reports to EPA (12/31/10, 3/31/11, 6/30/11 and 9/30/11) 2. Final Report (Annual Report) (12/31/11) 3. Tribal Council Reports are due the first week of every month. Reports are available upon request by EPA Project Officer. 4. Financial Status Report (submitted quarterly by the Tribal Finance Dept. Final FSR will be submitted 90 days after end date 12/31/11). 5. MBE/WBE (10/30/10, 10/30/11 and 90 days after end date 12/31/11) 	<p>10/1/10 - 12/31/11</p> <p>10/1/10 - 12/31/11</p> <p>10/1/10 - 12/31/11</p> <p>10/1/10 - 12/31/11</p> <p>10/1/10 - 12/31/11</p>	<p>PD 60hrs PC 50hrs ES II 250hrs ES I 50hrs AA 100hrs</p> <p>Total Hours: 510</p>	<p>PD: \$ 2,655 PC: \$ 1,663 ES II: \$5,845 ES I: \$879 AA: \$1,932 F/T/O/I: \$13,775</p> <p>Total: \$ 26,749</p>

**WASHOE TRIBE OF NEVADA & CALIFORNIA
EPA TRIBAL NONPOINT SOURCE PROGRAM FY09
PROPOSED WATERSHED WORKPLAN IMPLEMENTATION OF WATERSHED-BASED PLAN
OCTOBER 1, 2010 THROUGH DECEMBER 31, 2011**

Program Capacity-Building and Coordination Component: DESCRIPTION OF TASKS & ACTIVITIES	DELIVERABLES/ OUTPUTS & TARGET DATES	BEGIN & END DATES	ESTIMATED PERSON/YEARS (2080hrs = 1 YR)	ESTIMATED COST
<p>Task 2. Program Capacity-Building and Coordination</p> <p><i>Purpose and Need:</i> To coordinate and schedule WEPD NPS program tasks and activities with other environmental program activities for long and short term planning. In addition to providing educational information to Tribal members on NPS Program and implementation.</p> <p><i>Goals and objectives:</i> To meet the goal of the NPS Program to assist tribes in developing the capacity to manage their own NPS Programs and to develop and implement BMP measures to minimize impacts to water resources. In addition to providing NPS educational information on BMP implementation to protect water resources.</p> <p><i>Approach/Responsibilities:</i></p> <ul style="list-style-type: none"> The WEPD Director and Coordinator will schedule and coordinate program activities. The WEPD Director and Coordinator will hire/train staff, hold staff meetings, draft RFPs and develop contracts as necessary. The Tribe's General Counsel, Administrator, Finance Director, and Secretary/Treasurer will review and make any modifications on contracts. The WEPD staff will attend Tribal managers meetings, and other meetings related to NPS. The ES II NPS lead will attend the Carson River Watershed and Clear Creek Watershed meetings, and coordinate activities with the Conservation Crew to implement projects. WEPD staff will evaluate and assist with recommendations on local stormwater issues that are impacting Tribal resources (e.g. Sun Ridge and Topsy Lane areas). WEPD staff will attend NPS workshops and trainings related to implementation. The WEPD Administrative Assistant will assist with arranging, travel, training, and record keeping of program activities. The WEPD Director and Coordinator will research and draft environmental grant proposals to assist with meeting the goals and objectives. WEPD staff will develop educational activities and hands-on-BMP implementation trainings to Tribal members at events and through articles, fliers and website. <p><i>Environmental Outcomes/Results:</i> This task will result in building Tribal capacity in NPS management on tribal lands and coordination of WEPD program activities. In addition to educating over 150 people on WEPD NPS Program and BMP implementation.</p>	<p>1. Status of activities will be summarized in quarterly reports.</p> <p>2. A copy of a list of trainings/workshops and copy of meeting calendars will be submitted with quarterly reports.</p>	<p>10/1/10 – 12/31/11</p> <p>10/1/10 – 12/31/11</p>	<p>PD 40hrs PC 50hrs ES II 300hrs ES I 50hrs AA 50hrs</p> <p>Total Hours: 490</p>	<p>PD: \$ 1,770 PC: \$1,663 ES II: \$7,715 ES I: \$879 AA: \$956 F/T/O/I: \$13,775</p> <p>Total: \$26,758</p>

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Contractor = C

WASHOE TRIBE OF NEVADA & CALIFORNIA
EPA TRIBAL NONPOINT SOURCE PROGRAM FY09
PROPOSED WATERSHED WORKPLAN IMPLEMENTATION OF WATERSHED-BASED PLAN
OCTOBER 1, 2010 THROUGH DECEMBER 31, 2011

Implementation of NPS On-the-Ground Projects Component: DESCRIPTION OF TASKS & ACTIVITIES	DELIVERABLES/ OUTPUTS & TARGET DATES	BEGIN & END DATES	ESTIMATED PERSON/YEARS (2080hrs = 1 YR)	ESTIMATED COST
<p>Task 3. "On-the-Ground" Planning and Implementation: NPS Floodplain Conservation, Trail and Roadway Stabilization/Decommission and Bank Stabilization Projects for Washoe Tribal Upper Clear Creek Parcel, Nevada</p> <p><i>Purpose and Need:</i> To stabilize and reclaim the surface disturbance area, reduce soil erosion, and control runoff and sediment delivery from trails and roadways and riparian zones. Including the implementation of NPS BMP measures to address degradation of several drainage channels, meadow and riparian areas along near Old Clear Creek Road and Clear Creek on the Tribe's Upper Clear Creek Parcel (refer to Maps 1 and 2), located within the Carson River Watershed, NV. The project will provide the resources necessary to continue implementing erosion and sediment control measures to protect and to stride towards restoring water quality, watershed condition, and aquatic and riparian habitat on tribal lands as outlined in the Washoe Tribe of Nevada & California's Non Point Source Assessment and Management Program and implementing the projects under the Carson River Stewardship Plan and Clear Creek Erosion Assessment Final Report.</p> <p><i>Goals and objectives:</i></p> <p><u>Goals:</u></p> <ol style="list-style-type: none"> 1. Reduce excessive sediment transport. 2. Reduce risk of possible surface and ground water contamination. 3. Decrease non point source impacts through education and outreach. 4. Restore hydrological function to meadow and riparian areas. 5. Improve trails and roadways functionality. 6. Improve vegetative cover. <p><u>Project objectives:</u></p> <ol style="list-style-type: none"> 1. Erosion and sediment controls using rock or log check dams, rock structures, diversions, sediment retention or conveyances. 2. Reduction of excessive sediment transport and long-term potential of improved surface and ground water quality for aquatic and terrestrial species. 3. Provide public outreach opportunities by promoting Tribal BMP education program by providing training, hosting special tours, and giving presentations. 4. Trail and roadway stabilization/decommission utilizing erosion and sediment control measures. 	<ol style="list-style-type: none"> 1. Summary of progress of task activities will be submitted with quarterly reports. 2. Final report (acres/feet of vegetation planted, structures installed, estimated sediment controlled, number of willows/alder/aspen planted/established, feet of streambank/slope stabilized, number of headcuts and degraded drainage areas addressed and other BMP measures taken) detailing the success of the projects/activities, and identify future BMP projects needed in area. (12/31/11) 3. Copy of presentations, and educational materials developed during the project period will be submitted quarterly. 	<p>10/1/10 – 12/31/11</p> <p>10/1/10 – 12/31/11</p> <p>10/1/10 – 12/31/11</p>	<p>PD 80hrs PC 50hrs ES II 550hrs ES I 400hrs CC 3x 500hrs THPO 20hrs</p> <p>Total Hours: 2,600</p>	<p>PD: \$ 3,540 PC: \$ 1,663 ES II: \$12,859 ES I: \$7,028 CC: \$22,590 THPO: \$(867) S /F//O/E/I: \$13,964 C : \$20,882 E/O: \$15,800</p> <p>Total: \$113,160</p> <p>Total: 150,000 InKind: 16,667</p> <p>Project: 166,667</p>

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**WASHOE TRIBE OF NEVADA & CALIFORNIA
EPA TRIBAL NONPOINT SOURCE PROGRAM FY09
PROPOSED WATERSHED WORKPLAN IMPLEMENTATION OF WATERSHED-BASED PLAN
OCTOBER 1, 2010 THROUGH DECEMBER 31, 2011**

Task 3 continued...

Approach/Responsibilities: The following approach, activities and responsibilities will be completed by WEPD staff.

1. The WEPD Director and Coordinator will assign personnel to completing sections of this task. Assign tasks to WEPD personnel and identify any possible modifications needed in work-plan. Complete time-table coordinating funding efforts. Draft RFPs for contractors to completed engineering designs, inspect projects, and assist with implementation where needed. In addition to completing required tribal contracting steps. Schedule the Tribal Conservation Crew to implement projects. Coordinate NPS Program activities with other WEPD activities. Obtain any necessary permits and have Tribal Historic Preservation Officer assess project area. Administrative assistant will assist with record keeping and any necessary travel, event or training arrangements.
2. Construct implementation projects.
 - a. Erosion and sediment control measures at 12 degraded drainage channel areas; installation of BMP rock/log check dams, diversions, sediment retention and conveyance systems, and vegetative treatments. Utilize bioengineering BMPs on 4 areas to stabilize and improve hydrological function of meadow and riparian areas. Work with partners (ITCN Tribal Liaison, CCWG, and NRCS etc.).
 - b. Streambank stabilization utilizing willow fascines, brush layering, waddles, vegetative treatments, rock, and pole planting along approximately 200 linear feet of Clear Creek.
 - c. Trail and roadway stabilization/decommission utilizing BMPs.
 - d. Access to east side of creek: temporary crossing if necessary. Work with partners (U.S. ACE, Army Reserves, USFWS, NRCS)
3. Conduct training of tribal crews and volunteers. Identify materials to be used and make a timeline for collection or purchasing.
4. Provide NPS Program educational opportunities (website, articles, events etc.) and BMP demonstration projects to tribal members. Host tours of project site for Tribal members, local watershed groups and others.
5. Develop and conduct monitoring activities according to Monitoring Plan in coordination with water resource staff under approved QAPP. Utilize GPS/GIS WEPD staff to map areas and document implementation. Establish photo points.

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**WASHOE TRIBE OF NEVADA & CALIFORNIA
EPA TRIBAL NONPOINT SOURCE PROGRAM FY09
PROPOSED WATERSHED WORKPLAN IMPLEMENTATION OF WATERSHED-BASED PLAN
OCTOBER 1, 2010 THROUGH DECEMBER 31, 2011**

Task 3 continued...

Environmental Outcome/Results:

It is anticipated that the projects implementation will result in reduced sediment delivery, reduced delivery of nutrients, increased bank stability, restore hydrological function in meadow and riparian areas, stabilize trail and roadways, and improved NPS Program and BMP implementation knowledge through education and outreach activities. These results will benefit surface and ground water quality and function, in addition to improving aquatic and wildlife habitat in the Clear Creek and Carson River Watersheds.

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Marie Barry

From: Wilson.Stephanie@epamail.epa.gov
Sent: Monday, November 19, 2007 8:19 AM
To: marie.barry@washoetribe.us
Cc: Eastman.Tiffany@epamail.epa.gov
Subject: Carson River Plan

Marie,

Thanks for submitting your request that the Carson River Stewardship Plan be reviewed and accepted as the the Washoe Tribe's watershed plan.

The Washoe Tribe of Nevada and California's watershed-based plan titled "Carson River Stewardship Plan" meets the nine required elements of a watershed-based plan per the FY2007 Tribal Nonpoint Source Pollution Control Program Guidelines."

Signed by:

Stephanie L. Wilson
EPA Project Officer
EPA Region 9, Tribal Office WTR-10
PO Box 11
Carson City, NV 89702
(775) 885-6190
FAX (775) 885-6064

11/19/2007

Applicant Name and Address

Washoe Tribe of Nevada and California
919 Highway 395 South
Gardnerville, NV 89410

Contact Person

Marie Barry, Environmental Director
(775) 265-8682 Fax: (775) 265-3611
Email: marie.barry@washoetribe.us

Introduction/Background

The Washoe Tribe has a long commitment to the restoration of Tribal lands and the aboriginal homelands. The Washoe Environmental Protection Department (WEPD) has completed with approval from the Tribal Council and the Environmental Protection Agency (EPA) the Nonpoint Source Assessment and Management Program, the Sampling and Analysis Plan for the Water Quality Monitoring Program, and the Quality Assurance Project Plan. The Tribe has joined forces with federal, state, and local governments to protect the Carson River Watershed environment in areas such as water quality, air quality, bank stabilization, and wildlife habitat improvement. WEPD has also worked with Tribal elders and children on the restoration and recording of the knowledge base of traditional and customary stewardship and practices and incorporate native practices and vegetation in projects.

The Washoe Tribe has been awarded NPS 319h grant funding since 2000. WEPD through the NPS projects has thus far implemented Phases I - III of a multiple phased project at Stewart Ranch, Phases 1 – 11 at Stewart Community, Clear Creek, Carson Community Waterfall Fire Erosion Control Projects, and Stormwater Improvement Projects within the Carson River and Clear Creek Watersheds in Nevada. Washoe NPS projects have resulted in over 5,000 vertical feet of riverbank stabilization, six alternative water sites for livestock, development of a cattle grazing plan, monitoring components, and held education and outreach events, installation of 3 miles of fencing along the Carson River corridor, bioengineering training, water quality monitoring, wellhead protection, ranching BMP measures, and several erosion and stormwater control projects. The WEPD received the 2004 Environmental Award for Outstanding Achievement from EPA IX for NPS efforts. The NPS Program is the most well-known Program within WEPD because of the immediate results and during implementation tribal members are known to show up ask questions and sometime assist in implementation. Examples of some results from our projects include sedimentation loading reductions new vegetative vigor or barrier, fencing around wellheads has protected the drinking water sources from potential contamination, stormwater impoundments and improvements have assisted with reduction of urban runoff pollutants and sedimentation, several demonstration projects have been done at events such as Earth Day to show members how to improve NPS issues around their homes.

The Tribe's Nonpoint Source Program with NPS FY10 Base funding continues to focus on wellhead protection. WEPD will install fencing around a spring well site at Carson Community and will contract to have abandoned wells properly sealed with WUMA staff's assistance. All wellheads are surveyed for possible contamination sources (PCS) on a regular basis so that issues are brought to the attention of managers and community leaders. The proposed implemented protects will assist in efforts towards protecting the Tribe's water resources as outlined in the Washoe Tribe of Nevada & California's Nonpoint Source Assessment and Management Program. The goals, objectives, outputs, results, timelines, and costs are detailed in the narrative work plan and detailed budget (attached).

Washoe Tribe of Nevada and California
EPA NPS 319h FY10
Base Budget

LINE ITEM	CALCULATION	EPA REQUEST	INKIND MATCH
Personnel			
Environmental Department Director	\$44.25/hour x 40	1,770	
Environmental Coordinator	\$33.25/hour x 40	1,330	
GIS Specialist	\$23.38/hour x 15	351	
1 FTE Environmental Specialist II	\$23.38/hour x 250	5,845	
Washoe Tribe Task 3 Tech Assistance	Washoe Utility Management Authority Manager \$33.25 x 68hr and Tech. II \$21.25 x 25hr		2,493
Washoe Conservation Crew	15.06 x 40 x 4 crew members	2,410	
Subtotal Personnel		11,706	2,493
Fringe Benefits			
FICA	0.0765	896	191
SUTA	0.018	211	45
SIIS	0.0221	259	55
Health Insurance	1FT @ \$523.00mo x 6mo	3,138	192
Liability Insurance	\$40/mo x 1/12	240	
Vacation Liability	.125 of salaries	1,463	
Retirement Plan	.06 of salaries	731	
Subtotal Fringe		6,937	483
Subtotal Personnel & Fringe		18,643	2,976
Operating Costs			
Travel (local)	1,000 miles x \$.55	550	
Subtotal Travel		550	
Supplies			
Office Supplies	general office supplies	238	
Subtotal supplies		238	
Contractual			
Lab fees			357
Contractor for well closure		4,000	
Subtotal Contractual		4,000	357
Other			
Fencing materials		3,235	
Communications and maintenance	phones,elec, internet, postage	600	
Subtotal other		3,835	
Total Direct Costs		27,266	3,333
Indirect costs @11.75% minus contractual and equipment		2,734	
Total Project Costs		30,000	3,333

* Anticipated 10% hardship match

**Washoe Tribe of Nevada & California
EPA Nonpoint Source Program FY10
Work Plan A Base**

October 1, 2010 through December 31, 2011

Description of Components & Activities		October 1, 2010 through December 31, 2011			
Component	Deliverables/Outputs & Target Dates	Dates		Estimated person/yr (2080 hrs/yr)	Estimated Cost *
		Start	End		
<p>Component 1. Summarize Progress; Program Annual Evaluation/Fiscal Admin.</p> <p><i>Purpose and Need:</i> Progress reports are necessary to evaluate the effectiveness of our NPS Program. The Tribe is required to submit quarterly progress reports to the EPA and jointly evaluate grant accomplishments with the EPA Project Officer. In addition Washoe Environmental Protection Department (WEPD) is required to submit monthly progress reports to the Tribal Council. As a NPS Program recipient, the Tribe is required to adhere to administrative requirements identified in 40 CFR Part 31 and OMB Circular A-87.</p> <p><i>Goals and Objectives:</i> Meet federal administrative and reporting requirements under the NPS Program. The objective is to keep the Tribe and EPA informed of the WEPD's NPS Program accomplishments, expenditures, challenges, and activities.</p> <p><i>Approach/Responsibilities:</i> The WEPD will submit monthly reports to the Tribal Council and quarterly reports to the EPA. The Tribe's fourth quarter "final" report will assess the progress and accomplishments for the entire year. The EPA Project Officer will review WEPD quarterly reports and will provide a written evaluation "end of year report" of WEPD progress under the NPS grant. A draft of the EPA Project Officer's evaluation will be submitted to the Environmental Director for review prior to being finalized and sent to the Tribal Chair.</p> <p>Quarterly reports will contain the following information:</p> <ul style="list-style-type: none"> A discussion of accomplishments as measured against the work plan commitments and anticipated environmental outputs and outcomes, for each work plan task. A discussion of the cumulative effectiveness of the work performed under all work plan components. A discussion of existing and potential problem areas. Suggestions for improvement, including, where feasible, schedules for making improvements. Status of expenditures (cumulative) for reporting period and explanations of cost overruns/under-runs if applicable. <p><i>Environmental Outcomes/Results:</i> This task will keep WEPD and the Tribe in compliance with federal reporting requirements and evaluate performance under this agreement.</p>	<ol style="list-style-type: none"> Quarterly Reports to EPA (12/31/10, 3/31/11, 6/30/11, 9/30/11) Final Report (Annual Report) (12/31/11 (90 days after end date) Tribal Council Reports are due the first week of every month. Reports are available upon request by EPA Project Officer. Financial Status Report (quarterly and 90 days after end date) MBE/WBE (10/30/10, 10/30/11 and 90 days after end date) 	<p>10/1/10</p> <p>10/1/10</p> <p>10/1/10</p> <p>10/1/10</p> <p>10/1/10</p>	<p>12/31/11</p> <p>12/31/11</p> <p>12/1/11</p> <p>12/31/11</p> <p>12/31/11</p>	<p>PD: \$44.25 x 18/hr PC: \$33.25 x 5/hr ES II: \$23.38 x 83/hr GS: \$23.38 x 9/hr F/T/O/I:</p> <p>Total hours: 115</p>	<p>\$ 797 \$ 166 \$1,941 \$ 210 \$2,837</p> <p>Total: \$ 5,741</p>

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Washoe Tribe of Nevada & California
EPA Nonpoint Source Program FY10
Work Plan A Base
October 1, 2010 through December 31, 2011

Description of Components & Activities	Deliverables/Outputs & Target Dates	Start Dates End	Estimated person/yr (2080 hrs/yr)	Estimated Cost *
<p>Component 2. Program Capacity-Building and Coordination</p> <p><i>Purpose and Need:</i> To coordinate and schedule WEPD NPS program tasks and activities with other environmental program activities for long and short term planning.</p> <p><i>Goals and objectives:</i> To meet the goal of the NPS Program to assist tribes in developing the capacity to manage their own NPS Programs and to develop and implement BMP measures to minimize impacts to water resources. In addition to educating the tribal community on the importance of water quality protection and NPS Program.</p> <p><i>Approach/Responsibilities:</i></p> <ul style="list-style-type: none"> The WEPD Director and Coordinator will schedule and coordinate program activities. The WEPD Director and Coordinator will hire/train staff, hold staff meetings, and maintain the administrative record with the Tribal Finance Department. The WEPD staff will attend the Nevada Tribal managers meetings and other meetings regarding NPS. WEPD staff will evaluate and assist with recommendations on local stormwater issues that are impacting Tribal resources (e.g. Clear Creek, Sun Ridge, and Topsy Lane areas) In addition staff will assist other NV Tribes with NPS technical assistance. The WEPD Administrative Assistant will assist with arranging, travel, training, and record keeping of program activities. The WEPD Director and Coordinator will research and draft environmental grant proposals to assist with meeting the goals and objectives. WEPD staff will attend NPS workshops and trainings related to implementation. WEPD staff will complete NPS educational activities within the four tribal communities and other events such as Earth Day and Washoe on the River Day. WEPD staff will work with CRC and other Stakeholders to update the Carson River Watershed Plan. <p><i>Environmental Outcomes/Results:</i> This task will assist in building Tribal capacity and coordination of WEPD program activities and educate community members regarding NPS Program and issues impacting tribal lands.</p>	<ol style="list-style-type: none"> Status of activities will be summarized in quarterly reports. List of trainings and meeting calendars will be provided with quarterly reports. Copies of presentations, and developed educational materials will be provided quarterly. 	<p>10/1/10 12/31/11</p> <p>10/1/10 12/31/11</p> <p>10/1/10 12/31/11</p>	<p>PD: \$44.25 x 10/hr PC: \$33.25 x 20/hr ES II: \$23.38 x 83/hr GS: \$23.38 x 3/hr F/T/O/I:</p> <p>Total hours: 116</p>	<p>\$ 443 \$ 665 \$1,941 \$ 70 \$2,837</p> <p>Total: \$5,956</p>

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**Washoe Tribe of Nevada & California
EPA Nonpoint Source Program FY10
Work Plan A Base
October 1, 2010 through December 31, 2011**

Description of Components & Activities	Deliverables/Outputs & Target Dates	Dates Start End	Estimated person/yr (2080 hrs/yr)	Estimated Cost *
<p>Component 3. Implement Wellhead Protection BMP (10-12) Purpose and Need: To protect groundwater resources from pollution WEPD has identified 1 abandoned well in Carson Community as potential contaminant sources near Well Head Protection Areas (WHPA), that need to be properly sealed and closed. In addition to fencing a spring site and spring pump house sources from Carson Community. Goals and objectives: The goal is to reduce potential contaminant sources from Washoe Community WHPA and protect groundwater resources by properly closing two abandoned wells.</p> <p>Approach/Responsibilities:</p> <ul style="list-style-type: none"> The Environmental Specialist and ES II will review well records and research the best closure procedure to implement on the Carson abandoned well identified as potential contaminant source (PCS) within the WHPA. ESII will develop closer plans and draft RFP for contractor. The Director and Coordinator will review and finalize the RFP and will send to potential contractors and assist in reviewing quotes for services and finalizing the contract with the Legal staff. Fencing installation will be completed by Washoe Conservation Crew at Carson spring site and the spring house. ES II will oversee the fencing. ES II will oversee the contractor throughout the contract and will draft a final report. The WEPD staff will coordinate with the Washoe Utilities Management Authority (WUMA) to complete the project and continue evaluating water quality data obtained to meet the requirements under SDWA prior and after the well closures and fencing installations for 8 sites that were fenced in previous NPS efforts to protect Community drinking water sources and continue evaluations on Potential Contaminant Sources within the Well Head Protection Areas. WEPD will coordinate with WUMA to complete PCS quarterly. The WUMA will conduct monthly water sampling as required under the Safe Drinking Water Act for public water systems and will provide data to WEPD to evaluate the success of the past wellhead protection NPS projects. The GIS Specialist will assist with GPS and reporting. <p>Environmental Outcomes/Result: Reporting on BMP (10-12) Wellhead Protection efforts and identification of any new potential contaminant sources (PCS). Closure of two PCS sites in WHPA and protect groundwater resources.</p>	<p>1. Status of activities will be summarized in quarterly reports.</p> <p>2. Summary of findings on implementation of BMP (10-12) due 12/31/11 "final" report.</p>	<p>10/1/10 12/31/11</p> <p>10/1/11 12/31/11</p>	<p>PD: \$44.25 x 12/hr PC: \$33.25 x 15/hr ES II: \$23.38 x 83/hr GS: \$23.38 x 3/hr CC: \$15.06 x 40hr x 4 WUMA In-Kind Match: C F/T/O/I:</p> <p>Total hours: 113</p>	<p>\$ 531 \$ 499 \$1,941 \$70 \$2,410 (\$3,333) \$4,000 \$8,852</p> <p>Total: \$ 21,636</p> <p>Federal Cost: \$30,000 In-Kind Match: \$ 3,333 <u>Total Project Cost:</u> <u>\$33,333</u></p>

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Washoe Tribe of Nevada and California



December 7, 2009

Mr. Jared Blumenfeld
Region 9 Regional Administrator
U.S. Environmental Protection Agency
75 Hawthorne Street
San Francisco, CA 94105

Dear Mr. Blumenfeld,

Enclosed please find the Washoe Tribe of Nevada and California's 319(h) Tribal Non-point Source Grant Application 10% Match Waiver Request for the FY10 funding allocation.

The Tribe in the past five years has had four disaster declarations one was the Waterfall Fire, two with dealing with Snow impacts, and the New Years Eve Flood 2005/2006. We look forward to working in partnership with EPA to protect and restore water quality, watershed condition, aquatic, and riparian habitat on tribal lands. The proposed projects will assist with Non Point Source impacts to groundwater resources and water resources within the Carson River Watershed. Please feel free to call Marie Barry, Environmental Director at (775) 265-8682 if you have any questions or need additional information.

Sincerely,

A handwritten signature in dark ink, appearing to read "Wilddo W. Walker".

Wilddo W. Walker, Chairman

cc: WEPD File
Grants Office

**Washoe Tribe of Nevada & California
319(h) Tribal Non-point Source Grant Application
10% Match Waiver Request**



The Washoe Tribe of Nevada & California requests a waiver of the 40% local match requirement to the 10 percent match requirement. The Tribe is experiencing severe fiscal distress. Specifically, the Tribe has been impacted by this fiscal hardship in the following ways.

Tribal Poverty Rate

The Final report by the BIA Advisory Budget Council to the Subcommittee on Economic Development states that real unemployment and underemployment in Indian country has placed more than 500,000 people, or on average more than 50% of the work force of Tribal populations who live on or near Indian reservations, at or below poverty levels. Indian country and reservations account for many of the poorest counties in the entire United States and that fact has not generally been alleviated by gaming operations, which fulfill only a fraction of the overall need for government services for most Tribal Nations. The Washoe Tribe of Nevada & California does not benefit from any gaming operations.

According to the 1993 Tribal Census, the Washoe Tribe had an overall unemployment rate of 42.6%. Households in which income is provided solely or in part by State or Federal (non-employment) sources is 2.3%. *Non-employment income statistics reflect AFDC 9.9%, Unemployment Insurance 2.9%, Social Security 12.6%, S.S.I. 6.4% and Disability Insurance 2.9%.*

Tribal Audit Revenue Table

AUDIT YEAR	REVENUES	GENERAL	SPECIAL REVENUE	CAPITOL PROJECTS	TOTAL
2001	Excise & Sales Taxes	\$943,346			
	Grants & Contracts		\$6,511,129		
	Indirect Cost Revenue	\$708,052			
	Interest	\$100,134	0		
	Other Revenue	\$629,159	\$1,098,436		
	Total 2001	\$2,380,691	\$7,609,565		\$9,990,256
2002	Excise & Sales Taxes	\$893,001			
	Grants & Contracts*		\$9,382,221*		
	Indirect Cost Revenue	\$967,614			
	Interest	\$202,342	\$135,489		
	Other Revenue	\$410,541	\$68,987		
	Total 2002	\$2,473,498	\$9,586,687		\$12,060,185
2003	Excise & Sales Taxes**	1,158,490			
	Grants & Contracts***		13,972,206		
	Indirect Cost Revenue	459,494			
	Interest	60,309	109,531		
	Other Revenue	1,298,107	256,707		
	Total 2003	2,976,400	14,338,444		17,314,844
2004	Excise & Sales Taxes	1,492,689			
	Grants & Contracts***		15,525,715		
	Indirect Cost Revenue	669,400			
	Interest	106,486	78,095		
	Other Revenue	1,295,527	1,175,472		
	Total 2004	3,564,102	16,779,282		20,343,384
2005	Excise & Sales Taxes	1,484,452			
	Grants & Contracts		16,887,385		
	Indirect Cost Revenue	1,391,667			
	Interest	175,542	74,798		
	Other Revenue	1,602,356	1,510,043		
	Total 2005	4,654,017	18,472,226		23,126,243

*The increase in Grants & Contracts revenue in 2002 was due to the Tribe taking over the accounting for the Washoe Health Clinic. The clinic grants amount to approx \$ 4.1 million. These funds were accounted for separately in the past.

**The increase in Excise & Sales Taxes revenue in 2003 was due to the increase from \$3.50 to \$8.00 per carton tax increase. We actually had declining sales by over 25%.

***The increase in Grants & Contracts revenue in 2003 was due to the new TANF program. It is virtually a pass-through grant that increased the Tribe's revenue by \$4 million in 2003 and an additional \$2.4 million in 2004.

Tribal Unemployment Rate

As would be expected from a 42.6% unemployment rate, the poverty level is very high on the reservation communities. In Alpine County, the Woodfords community has a population of 287 Native Americans and 97% of all households are low income, (below 80% of the county median), and recent studies in Woodfords and Dresslerville, show that 73% and 65%, of the households respectively, are very low income (below 50% of the county median).

Household income data from the 2000 Census for Douglas County residents indicates that 43% of American Indian households in the County make less than \$39,280 per year, while only 15% of the general population in the county makes less than that amount.

Observations from the 2000 Census data include:

1. Employment was approximately 30% less for Washoe households than for the state as a whole.
2. Households receiving disability were less than for the state as a whole.
3. Retirement benefits were much less for Washoe households than for the state as a whole.

Natural Disasters

Currently the Tribe is dealing with impacts from the New Years Eve Flood event that was declared a disaster FEMA-1629-DR-NV. Several miles of the Carson River corridor were impacted by the flood in addition to damage to Indian Creek, Clear Creek, NV Washoe Communities, infrastructure, and ranches. Estimated costs as to date, is over \$1,000,000.

During the winter 2005 two separate federal disasters for snow related damage impacted the tribal communities located in Nevada and California.

A wild land fire impacted the lands surrounding Carson Colony during August 14-27, 2004 and was declared a disaster FEMA-1540-DR-NV on August 26, 2004 by the President of the United States. The Tribe incurred unclaimed costs of evacuating and housing Carson Colony residents during the event. Approximately 206 acres of Tribal lands were impacted by the fire and a few residents lost outbuildings, landscaping, cars, and a trailer. Estimated costs for erosion control and hill slope bank stability are over \$480,000.

During the summer of 2003, the Carson Colony experienced 3 fires along the western boundary of the community. Although no structures were damaged, it demonstrates the risk this community faces from the wild land urban interface.